

AMST 100: THE AMERICAN
EXPERIMENT



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UNIT 1

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What is the American Experiment?
What is “America”? What should America be? Why is America legitimate? Rights as a principle of the American Founding. How to protect individual liberty and the liberty of the nation?



SECTION 1

Introduction: Rights and Revolution

What is the American Experiment? What is “America”? What should America be? Why is America legitimate? Rights as a principle of the American Founding. How to protect individual liberty and the liberty of the nation?

Our Imbecilic Constitution

By SANFORD LEVINSON

Advocating the adoption of the new Constitution drafted in Philadelphia, the authors of “The Federalist Papers” mocked the “imbecility” of the weak central government created by the Articles of Confederation.

Nearly 225 years later, critics across the spectrum call the American political system dysfunctional, even pathological. What they don’t mention, though, is the role of the Constitution itself in generating the pathology.

Ignore, for discussion’s sake, the clauses that helped to entrench chattel slavery until it was eliminated by a brutal Civil War. Begin with the Senate and its assignment of equal voting power to California and Wyoming; Vermont and Texas; New York and North Dakota. Consider that, although a majority of Americans since World War II have registered opposition to the Electoral College, we will participate this year in yet another election that “battleground states” will dominate while the three largest states will be largely ignored.

Our vaunted system of “separation of powers” and “checks and balances” — a legacy of the founders’ mistrust of “factions” — means that we rarely have anything that can truly be described as a “government.” Save for those rare instances when one party has hefty control over four branches — the House of Representatives, the Senate, the White House and the Supreme Court — gridlock threatens. Elections are increasingly meaningless, at least in terms of producing results commensurate with the challenges facing the country.

But if one must choose the worst single part of the Constitution, it is surely Article V, which has made our Constitution among the most difficult to amend of any in the

world. The last truly significant constitutional change was the 22nd Amendment, added in 1951, to limit presidents to two terms. The near impossibility of amending the national Constitution not only prevents needed reforms; it also makes discussion seem futile and generates a complacent denial that there is anything to be concerned about.

Why is our government so dysfunctional? Look back to 1787.

It was not always so. In the election of 1912, two presidents — past and future — seriously questioned the adequacy of the Constitution. Theodore Roosevelt would have allowed Congress to override Supreme Court decisions invalidating federal laws, while Woodrow Wilson basically supported a parliamentary system and, as president, tried to act more as a prime minister than as an agent of Congress. The next few years saw the enactment of amendments establishing the legitimacy of the federal income tax, direct election of senators, Prohibition and women's right to vote.

No such debate is likely to take place between Barack Obama and Mitt Romney. They, like most contemporary Americans, have seemingly lost their capacity for thinking seriously about the extent to which the Constitution serves us well. Instead, the Constitution is enveloped in near religious veneration. (Indeed, Mormon theology treats it as God-given.)

What might radical reform mean?

We might look to the 50 state constitutions, most of which are considerably easier to amend. There have been more than 230 state constitutional conventions; each state has had an average of almost three constitutions. (New York, for example, is on its fifth Constitution, adopted in 1938.) This year Ohioans will be voting on whether to call a new constitutional convention; its Constitution, like 13 others, including New York's, gives voters the chance to do so at regular intervals, typically 20 years.

Another reform would aim to fix Congressional gridlock. We could permit each newly elected president to appoint 50 members of the House and 10 members of the Senate, all to serve four-year terms until the next presidential election. Presidents would be judged on actual programs, instead of hollow rhetoric.

If enhanced presidential power seems too scary, then the solution might lie in reducing, if not eliminating, the president's power to veto legislation and to return to true bicameralism, instead of the tricameralism we effectively operate under. We might allow deadlocks between the two branches of Congress to be broken by, say, a supermajority of the House or of Congress voting as a whole.

One might also be inspired by the states to allow at least some aspects of direct democracy. California — the only state with a constitution more dysfunctional than that of the United States — allows constitutional amendment at the ballot box. Maine, more sensibly, allows its citizenry to

override legislation they deem objectionable. Might we not be far better off to have a national referendum on “Obamacare” instead of letting nine politically unaccountable judges decide?

Even if we want to preserve judicial review of national legislation, something Justice Oliver Wendell Holmes Jr. believed could be dispensed with, perhaps we should emulate North Dakota or Nebraska, which require supermajorities of their court to invalidate state legislation. Why shouldn’t the votes of, say, seven of the nine Supreme Court justices be required to overturn national legislation?

Or consider the fact that almost all states have rejected the model of judges nominated by the president and then confirmed by the Senate. Most state judges are electorally accountable in some way, and almost all must retire at a given age. Many states have adopted commissions to limit the politicization of the appointment process.

What was truly admirable about the framers was their willingness to critique, indeed junk, the Articles of Confederation. One need not believe that the Constitution of 1787 should be discarded in quite the same way to accept that we are long overdue for a serious discussion about its own role in creating the depressed (and depressing) state of American politics.

Adams Letter to Hezekiah Niles on the American Revolution

JOHN ADAMS, February 13, 1818

The American Revolution was not a common event. Its effects and consequences have already been awful over a great part of the globe. And when and where are they to cease?

But what do we mean by the American Revolution? Do we mean the American War? The Revolution was effected before the War commenced. The Revolution was in the minds and hearts of the people, a change in their religious sentiments of their duties and obligations. While the king, and all in authority under him, were believed to govern in justice and mercy according to the laws and constitution derived to them from the God of nature, and transmitted to them by their ancestors, they thought themselves bound to pray for the king and queen and all the royal family, and all in authority under them, as ministers ordained of God for their good. But when they saw those powers renouncing all the principles of authority, and bent upon the destruction of all the securities of their lives, liberties, and properties, they

thought it their duty to pray for the Continental Congress and all the thirteen state congresses, etc.

There might be, and there were, others who thought less about religion and conscience, but had certain habitual sentiments of allegiance and loyalty derived from their education; but believing allegiance and protection to be reciprocal, when protection was withdrawn, they thought allegiance was dissolved.

Another alteration was common to all. The people of America had been educated in a habitual affection for England as their mother country; and while they thought her a kind and tender parent (erroneously enough, however, for she never was such a mother) no affection could be more sincere. But when they found her a cruel beldam, willing, like Lady Macbeth, to "dash their brains out," it is no wonder if their filial affections ceased and were changed into indignation and horror.

By what means this great and important alteration in the religious, moral, political, and social character of the people of thirteen colonies, all distinct, unconnected, and independent of each other, was begun, pursued, and accomplished, it is surely interesting to humanity to investigate and perpetuate to posterity.

To this end it is greatly to be desired that young gentlemen of letters in all the states, especially in the thirteen original states, would undertake the laborious, but certainly

interesting and amusing, task of searching and collecting all the records, pamphlets, newspapers, and even handbills which in any way contributed to change the temper and views of the people and compose them into an independent nation.

The colonies had grown up under constitutions of government so different; there was so great a variety of religions; they were composed of so many different nations; their customs, manners, and habits had so little resemblance; and their intercourse had been so rare and their knowledge of each other so imperfect that to unite them in the same principles in theory and the same system of action was certainly a very difficult enterprise. The complete accomplishment of it in so short a time and by such simple means was perhaps a singular example in the history of mankind. Thirteen clocks were made to strike together: a perfection of mechanism which no artist had ever before effected.

In this research, the glorioles of individual gentlemen and of separate states is of little consequence. The means and the measures are the proper objects of investigation. These may be of use to posterity, not only in this nation, but in South America and all other countries. They may teach mankind that revolutions are no trifles; that they ought never to be undertaken rashly; nor without deliberate consideration and sober reflection; nor without a solid, immutable, eternal foundation of justice and humanity; nor without a people

possessed of intelligence, fortitude, and integrity sufficient to carry them with steadiness, patience, and perseverance through all the vicissitudes of fortune, the fiery trials, and melancholy disasters they may have to encounter.

The town of Boston early instituted an annual oration on the 4th of July, in commemoration of the principles and feelings which contributed to produce the Revolution. Many of those orations I have heard, and all that I could obtain I have read. Much ingenuity and eloquence appears upon every subject except those principles and feelings. That of my honest and amiable neighbor Josiah Quincy appeared to me the most directly to the purpose of the institution. Those principles and feelings ought to be traced back for 200 years and sought in the history of the country from the first plantations in America. Nor should the principles and feelings of the English and Scots toward the colonies through that whole period ever be forgotten. The perpetual discordance between British principles and feelings and those of America, the next year after the suppression of the French power in America, came to a crisis and produced an explosion.

It was not until after the annihilation of the French dominion in America that any British ministry had dared to gratify their own wishes, and the desire of the nation, by projecting a formal plan for raising a national revenue from America by parliamentary taxation. The first great manifestation of this design was by the order to carry into strict execution those acts of Parliament which were well-known by the appellation

of the Acts of Trade, which had lain a dead letter, unexecuted for half a century—and some of them, I believe, for nearly a whole one.

This produced, in 1760 and 1761, an awakening and a revival of American principles and feelings, with an enthusiasm which went on increasing till in 1775 it burst out in open violence, hostility, and fury.

The characters the most conspicuous, the most ardent and influential in this revival, from 1760 to 1766, were first and foremost, before all and above all, James Otis; next to him was Oxenbridge Thatcher; next to him Samuel Adams; next to him John Hancock; then Dr. Mayhew; then Dr. Cooper and his brother. Of Mr. Hancock's life, character, generous nature, great and disinterested sacrifices, and important services, if I had forces, I should be glad to write a volume. But this I hope will be done by some younger and abler hand. Mr. Thatcher, because his name and merits are less known, must not be wholly omitted. This gentleman was an eminent barrister at law, in as large practice as anyone in Boston. There was not a citizen of that town more universally beloved for his learning, ingenuity, every domestic and social virtue, and conscientious conduct in every relation of life. His patriotism was as ardent as his progenitors had been ancient and illustrious in this country. Hutchinson often said, "Thatcher was not born a plebeian, but he was determined to die one." In May 1768, I believe, he was chosen by the town of Boston one of their

representatives in the legislature, a colleague with Mr. Otis, who had been a member from May 1761, and he continued to be reelected annually till his death in 1765, when Mr. Samuel Adams was elected to fill his place, in the absence of Mr. Otis then attending the congress at New York. Thatcher had long been jealous of the unbounded ambition of Mr. Hutchinson, but when he found him not content with the office of lieutenant governor, the command of the castle and its emoluments, of judge of probate for the county of Suffolk, a seat in his Majesty's Council in the legislature, his brother-in-law secretary of state by the king's commission, a brother of that secretary of state a judge of the Supreme Court and a member of Council; now in 1760 and 1761 soliciting and accepting the office of chief justice of the Superior Court of Judicature, he concluded, as Mr. Otis did, and as every other enlightened friend of his country did, that he sought that office with the determined purpose of determining all causes in favor of the ministry at St. James's and their servile Parliament.

His indignation against him henceforward, to 1765 when he died, knew no bounds but truth. I speak from personal knowledge, for, from 1758 to 1765, I attended every superior and inferior court in Boston, and recollect not one in which he did not invite me home to spend evenings with him, when he made me converse with him as well as I could on all subjects of religion, morals, law, politics, history, philosophy, belle-lettres, theology, mythology, cosmogony, metaphysics

(Locke, Clark, Leibniz, Bolingbroke, Berkeley), the preestablished harmony of the universe, the nature of matter and of spirit, and the eternal establishment of coincidences between their operations, fate, foreknowledge, absolute. We reasoned on such unfathomable subjects as high as Milton's gentry in pandemonium; and we understood them as well as they did, and no better. To such mighty mysteries he added the news of the day, and the tittle-tattle of the town. But his favorite subject was politics, and the impending threatening system of parliamentary taxation and universal government over the colonies. On this subject he was so anxious and agitated that I have no doubt it occasioned his premature death. From the time when he argued the question of writs of assistance to his death, he considered the king, ministry, Parliament, and nation of Great Britain as determined to new-model the colonies from the foundation; to annul all their charters, to constitute them all royal governments; to raise a revenue in America by parliamentary taxation; to apply that revenue to pay the salaries of governors, judges, and all other Crown officers; and after all this, to raise as large a revenue as they pleased, to be applied to national purposes at the exchequer in England; and further to establish bishops and the whole system of the Church of England, tithes and all, throughout all British America. This system, he said, if it was suffered to prevail, would extinguish the flame of liberty all over the world; that America would be employed as an engine to batter down all the miserable remains of liberty in Great Britain and Ireland, where only

any semblance of it was left in the world. To this system he considered Hutchinson, the Olivers, and all their connections, dependants, adherents, and shoelickers entirely devoted. He asserted that they were all engaged with all the Crown officers in America and the understrappers of the ministry in England in a deep and treasonable conspiracy to betray the liberties of their country for their own private, personal, and family aggrandizement. His philippics against the unprincipled ambition and avarice of all of them, but especially of Hutchinson, were unbridled, not only in private, confidential conversations but in all companies and on all occasions. He gave Hutchinson the sobriquet of "Summa Potestatis," and rarely mentioned him but by the name of "Summa." His liberties of speech were no secrets to his enemies. I have sometimes wondered that they did not throw him over the bar, as they did soon afterwards Major Hawley. They hated him worse than they did James Otis, or Samuel Adams, and they feared him more, because they had no revenge for a father's disappointment of a seat on the superior bench to impute to him, as they did to Otis; and Thatcher's character through life had been so modest, decent, unassuming, his morals so pure, and his religion so venerated that they dared not attack him. In his office were educated to the bar two eminent characters, the late Judge Lowell and Josiah Quincy, aptly called the Boston Cicero. Mr. Thatcher's frame was slender, his constitution delicate; whether his physicians overstrained his vessels with mercury when he had the smallpox by inoculation at the castle, or

whether he was overplied by public anxieties and exertions, the smallpox left him in a decline from which he never recovered. Not long before his death he sent for me to commit to my care some of his business at the bar. I asked him whether he had seen the Virginia Resolves:

Oh yes, they are men! They are noble spirits! It kills me to think of the lethargy and stupidity that prevails here. I long to be out. I will go out. I will go out. I will go into court and make a speech which shall be read after my death as my dying testimony against this infernal tyranny they are bringing upon us.

Seeing the violent agitation into which it threw him, I changed the subject as soon as possible, and retired. He had been confined for some time. Had he been abroad among the people he would not have complained so pathetically of the "lethargy and stupidity that prevailed," for town and country were all alive, and in August became active enough and some of the people proceeded to unwarrantable excesses, which were more lamented by the patriots than by their enemies. Mr. Thatcher soon died, deeply lamented by all the friends of their country.

Another gentleman who had great influence in the commencement of the Revolution was Dr. Jonathan Mayhew, a descendant of the ancient governor of Martha's Vineyard. This divine had raised a great reputation both in Europe and America by the publication of a volume of seven sermons in the reign of King George II, 1749, and by many

other writings, particularly a sermon in 1750 on January 30, on the subject of passive obedience and nonresistance, in which the saintship and martyrdom of King Charles I are considered, seasoned with wit and satire superior to any in Swift or Franklin. It was read by everybody, celebrated by friends, and abused by enemies. During the reigns of King George I and King George II, the reigns of the Stuarts (the two Jameses and the two Charleses) were in general disgrace in England. In America they had always been held in abhorrence. The persecutions and cruelties suffered by their ancestors under those reigns had been transmitted by history and tradition, and Mayhew seemed to be raised up to revive all their animosity against tyranny in church and state, and at the same time to destroy their bigotry, fanaticism, and inconsistency. David Hume's plausible, elegant, fascinating, and fallacious apology, in which he varnished over the crimes of the Stuarts, had not then appeared.

To draw the character of Mayhew would be to transcribe a dozen volumes. This transcendent genius threw all the weight of his great fame into the scale of his country in 1761, and maintained it there with zeal and ardor till his death in 1766. In 1763 appeared the controversy between him and Mr. Apthorp, Mr. Caner, Dr. Johnson, and Archbishop Secker on the charter and conduct of the society for propagating the gospel in foreign parts. To form a judgment of this debate I beg leave to refer to a review of the whole, printed at the time and written by Samuel Adams, though by

some very absurdly and erroneously ascribed to Mr. Apthorp. If I am not mistaken, it will be found a model of candor, sagacity, impartiality, and close correct reasoning. If any gentleman supposes this controversy to be nothing to the present purpose, he is grossly mistaken. It spread a universal alarm against the authority of Parliament. It excited a general and just apprehension that bishops and dioceses and churches and priests and tithes were to be imposed upon us by Parliament. It was known that neither king, nor ministry, nor archbishops could appoint bishops in America without an act of Parliament; and if Parliament could tax us they could establish the Church of England with all its creeds, articles, tests, ceremonies, and tithes, and prohibit all other churches as conventicles and schism shops.

Nor must Mr. Cushing be forgotten. His good sense and sound judgment, the urbanity of his manners, his universal good character, his numerous friends and connections, and his continual intercourse with all sorts of people, added to his constant attachment to the liberties of his country, gave him a great and salutary influence from the beginning in 1760.

Let me recommend these hints to the consideration of Mr. Wirt, whose life of Mr. Henry I have read with great delight. I think that after mature investigation he will be convinced that Mr. Henry did not "give the first impulse to the ball of independence," and that Otis, Thatcher, Samuel Adams, Mayhew, Hancock, Cushing, and thousands of others were

laboring for several years at the wheel before the name of Mr. Henry was heard beyond the limits of Virginia.

If you print this, I will endeavor to send you something concerning Samuel Adams, who was destined to a longer career, and to act a more conspicuous and, perhaps, a more important part than any other man. But his life would require a volume.

Federalist 10

The Federalist No. 10

The Utility of the Union as a Safeguard Against Domestic Faction and Insurrection (continued)

Daily Advertiser

Thursday, November 22, 1787

[James Madison]

To the People of the State of New York:

AMONG the numerous advantages promised by a well constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail, therefore, to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability,

injustice, and confusion introduced into the public councils, have, in truth, been the mortal diseases under which popular governments have everywhere perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitutions on the popular models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side, as was wished and expected. Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority. However anxiously we may wish that these complaints had no foundation, the evidence, of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labor have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements, and alarm for private rights, which are

echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administrations.

By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adversed to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be

formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents

itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.

No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time; yet what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? And what are the different classes of legislators but advocates and parties to the causes which they determine? Is a law proposed concerning private debts? It is a question to

which the creditors are parties on one side and the debtors on the other. Justice ought to hold the balance between them. Yet the parties are, and must be, themselves the judges; and the most numerous party, or, in other words, the most powerful faction must be expected to prevail. Shall domestic manufactures be encouraged, and in what degree, by restrictions on foreign manufactures? are questions which would be differently decided by the landed and the manufacturing classes, and probably by neither with a sole regard to justice and the public good. The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number, is a shilling saved to their own pockets.

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.

The inference to which we are brought is, that the causes of faction cannot be removed, and that relief is only to be sought in the means of controlling its effects.

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great desideratum by which this form of government can be rescued from the opprobrium under which it has so long labored, and be recommended to the esteem and adoption of mankind.

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time must be prevented, or the majority, having such coexistent passion or interest, must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. If the impulse and the opportunity be suffered to coincide, we well

know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together, that is, in proportion as their efficacy becomes needful.

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking.

Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people. The question resulting is, whether small or extensive republics are more favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations:

In the first place, it is to be remarked that, however small the republic may be, the representatives must be raised to a certain number, in order to guard against the cabals of a few; and that, however large it may be, they must be limited to a certain number, in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the two constituents, and being proportionally greater in the small republic, it follows that, if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre in men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representatives too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national

objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. Besides other impediments, it may be remarked that, where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary.

Hence, it clearly appears, that the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic, -- is enjoyed by the Union over the States composing it. Does the advantage consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States. A religious sect may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to

pervade the whole body of the Union than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State.

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of Federalists.

PUBLIUS

SECTION 2

The Declaration of Independence

IN CONGRESS, July 4, 1776.

The unanimous Declaration of the thirteen united States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of

these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.--Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

1. He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and

- when so suspended, he has utterly neglected to attend to them.
2. He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.
3. He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.
4. He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.
5. He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.
6. He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.
7. He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.
8. He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.
9. He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.
10. He has affected to render the Military independent of and superior to the Civil power.
11. He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:
12. For Quartering large bodies of armed troops among us:
13. For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:
14. For cutting off our Trade with all parts of the world:
15. For imposing Taxes on us without our Consent:

16. For depriving us in many cases, of the benefits of Trial by Jury:
17. For transporting us beyond Seas to be tried for pretended offences
18. For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:
19. For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:
20. For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.
21. He has abdicated Government here, by declaring us out of his Protection and waging War against us.
22. He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.
23. He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

24. He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.
 25. He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.
- In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.
- Nor have We been wanting in attentions to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

SECTION 3

U.S. Constitution



The Constitution of the United States: A Transcription

Note: The following text is a transcription of the Constitution in its original form.

Items that are hyperlinked have since been amended or superseded.

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general

Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Article. I.

Section. 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section. 2.

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.

The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section. 3.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class

shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section. 4.

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section. 5.

Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section. 6.

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been

encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section. 7.

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States: If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section. 8.

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States; To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may,

by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;--And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section. 9.

The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section. 10.

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws:

and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article. II.

Section. 1.

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they

shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:--"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section. 2.

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section. 3.

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section. 4.

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article III.

Section. 1.

The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

Section. 2.

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;--to all Cases affecting Ambassadors, other public Ministers and Consuls;--to all Cases of admiralty and maritime Jurisdiction;--to Controversies to which the United States shall be a Party;--to Controversies between two or more States;-- between a State and Citizens of another State,--between Citizens of different States,-- between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section. 3.

Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Article. IV.

Section. 1.

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section. 2.

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section. 3.

New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section. 4.

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

Article. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Article. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Article. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

The Word, "the," being interlined between the seventh and eighth Lines of the first Page, the Word "Thirty" being partly written on an Erasure in the fifteenth Line of the first Page, The Words "is tried" being interlined between the thirty second and thirty third Lines of the first Page and the Word "the" being interlined between the forty third and forty fourth Lines of the second Page.

Attest William Jackson Secretary

done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independance of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

G°. Washington
Presidt and deputy from Virginia

Delaware
Geo: Read
Gunning Bedford jun
John Dickinson
Richard Bassett
Jaco: Broom

Maryland
James McHenry
Dan of St Thos. Jenifer
Danl. Carroll

Virginia
John Blair
James Madison Jr.

North Carolina
Wm. Blount
Richd. Dobbs Spaight
Hu Williamson

South Carolina
J. Rutledge
Charles Cotesworth Pinckney
Charles Pinckney
Pierce Butler

SECTION 4

Amendments

The Bill of Rights

The Preamble to The Bill of Rights

Congress of the United States
begun and held at the City of New-York, on
Wednesday the fourth of March, one thousand seven
hundred and eighty nine.

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the

said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

Note: The following text is a transcription of the first ten amendments to the Constitution in their original form. These amendments were ratified December 15, 1791, and form what is known as the "Bill of Rights."

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed,

which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

Amendment VII

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

AMENDMENT XI

Passed by Congress March 4, 1794. Ratified February 7, 1795.

Note: Article III, section 2, of the Constitution was modified by amendment 11.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

AMENDMENT XII

Passed by Congress December 9, 1803. Ratified June 15, 1804.

Note: A portion of Article II, section 1 of the Constitution was superseded by the 12th amendment.

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; -- the President of the Senate shall,

in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; -- The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President. --]* The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President

shall be eligible to that of Vice-President of the United States.

*Superseded by section 3 of the 20th amendment.

AMENDMENT XIII

Passed by Congress January 31, 1865. Ratified December 6, 1865.

Note: A portion of Article IV, section 2, of the Constitution was superseded by the 13th amendment.

Section 1.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XIV

Passed by Congress June 13, 1866. Ratified July 9, 1868.

Note: Article I, section 2, of the Constitution was modified by section 2 of the 14th amendment.

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall

make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2.

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age,* and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3.

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a

member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4.

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5.

The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

*Changed by section 1 of the 26th amendment.

AMENDMENT XV

Passed by Congress February 26, 1869. Ratified February 3, 1870.

Section 1.

The right of citizens of the United States to vote shall not be

denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude--

Section 2.

The Congress shall have the power to enforce this article by appropriate legislation.

AMENDMENT XVI

Passed by Congress July 2, 1909. Ratified February 3, 1913.

Note: Article I, section 9, of the Constitution was modified by amendment 16.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

AMENDMENT XVII

Passed by Congress May 13, 1912. Ratified April 8, 1913.

Note: Article I, section 3, of the Constitution was modified by the 17th amendment.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

AMENDMENT XVIII

Passed by Congress December 18, 1917. Ratified January 16, 1919. Repealed by amendment 21.

Section 1.

After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2.

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the

legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XIX

Passed by Congress June 4, 1919. Ratified August 18, 1920.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XX

Passed by Congress March 2, 1932. Ratified January 23, 1933.

Note: Article I, section 4, of the Constitution was modified by section 2 of this amendment. In addition, a portion of the 12th amendment was superseded by section 3.

Section 1.

The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2.

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section 3.

If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4.

The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5.

Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

AMENDMENT XXI

Passed by Congress February 20, 1933. Ratified December 5, 1933.

Section 1.

The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2.

The transportation or importation into any State, Territory, or Possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XXII

Passed by Congress March 21, 1947. Ratified February 27, 1951.

Section 1.

No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2.

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

AMENDMENT XXIII

Passed by Congress June 16, 1960. Ratified March 29, 1961.

Section 1.

The District constituting the seat of Government of the United States shall appoint in such manner as Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section 2.

The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXIV

Passed by Congress August 27, 1962. Ratified January 23, 1964.

Section 1.

The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay poll tax or other tax.

Section 2.

The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXV

Passed by Congress July 6, 1965. Ratified February 10, 1967.

Note: Article II, section 1, of the Constitution was affected by the 25th amendment.

Section 1.

In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2.

Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section 3.

Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4.

Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall

continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

AMENDMENT XXVI

Passed by Congress March 23, 1971. Ratified July 1, 1971.

Note: Amendment 14, section 2, of the Constitution was modified by section 1 of the 26th amendment.

Section 1.

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2.

The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXVII

Originally proposed Sept. 25, 1789. Ratified May 7, 1992.

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of representatives shall have intervened.

SECTION 5

Federalist Paper

No. 84

by PUBLIUS (ALEXANDER HAMILTON)

Certain General and Miscellaneous Objections to the Constitution Considered and Answered

July 16, 1788

IN THE course of the foregoing review of the Constitution, I have taken notice of, and endeavored to answer most of the objections which have appeared against it. There however remain a few which either did not fall naturally under any particular head or were forgotten in their proper places. These shall now be discussed; but as the subject has been drawn into great length, I shall so far consult brevity as to comprise all my observations on these miscellaneous points in a single paper.

The most considerable of the remaining objections is that the plan of the convention contains no bill of rights. Among other answers given to this, it has been upon different occasions remarked that the constitutions of several of the

States are in a similar predicament. I add that New York is of the number. And yet the opposers of the new system, in this State, who profess an unlimited admiration for its constitution, are among the most intemperate partisans of a bill of rights. To justify their zeal in this matter they allege two things: one is that, though the constitution of New York has no bill of rights prefixed to it, yet it contains, in the body of it, various provisions in favor of particular privileges and rights which, in substance, amount to the same thing; the other is that the Constitution adopts, in their full extent, the common and statute law of Great Britain, by which many other rights not expressed in it are equally secured.

To the first I answer that the Constitution proposed by the convention contains, as well as the constitution of this State, a number of such provisions.

Independent of those which relate to the structure of the government, we find the following: Article 1, section 3, clause 7—"Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law." Section 9, of the same article, clause 2 – "The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it." Clause 3 – "No bill of attainder or ex post facto law shall be passed." Clause 7 –

"No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state." Article 3, section 2, clause 3 – "The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed." Section 3, of the same article – "Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court." And clause 3, of the same section – "The Congress shall have power to declare the punishment of treason; but no attainer of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted."

It may well be a question whether these are not, upon the whole, of equal importance with any which are to be found in the constitution of this State. The establishment of the writ of habeas corpus, the prohibition of ex-post-facto laws, and of TITLES OF NOBILITY, to which we have no corresponding provision in our Constitution, are perhaps greater securities to liberty and republicanism than any it

contains. The creation of crimes after the commission of the fact, or, in other words, the subjecting of men to punishment for things which, when they were done, were breaches of no law, and the practice of arbitrary imprisonments, have been, in all ages, the favorite and most formidable instruments of tyranny. The observations of the judicious Blackstone, in reference to the latter, are well worthy of recital: "To bereave a man of life [says he] or by violence to confiscate his estate, without accusation or trial, would be so gross and notorious an act of despotism as must at once convey the alarm of tyranny throughout the whole nation; but confinement of the person, by secretly hurrying him to jail, where his sufferings are unknown or forgotten, is a less public, a less striking, and therefore a more dangerous engine of arbitrary government." And as a remedy for this fatal evil he is everywhere peculiarly emphatical in his encomiums on the habeas corpus act, which in one place he calls "the BULWARK of the British Constitution."

Nothing need be said to illustrate the importance of the prohibition of titles of nobility. This may truly be denominated the cornerstone of republican government; for so long as they are excluded there can never be serious danger that the government will be any other than that of the people.

To the second, that is, to the pretended establishment of the common and statute law by the Constitution, I answer that they are expressly made subject "to such alterations and

provisions as the legislature shall from time to time make concerning the same." They are therefore at any moment liable to repeal by the ordinary legislative power, and of course have no constitutional sanction. The only use of the declaration was to recognize the ancient law and to remove doubts which might have been occasioned by the Revolution. This consequently can be considered as no part of a declaration of rights, which under our constitutions must be intended as limitations of the power of the government itself.

It has been several times truly remarked that bills of rights are, in their origin, stipulations between kings and their subjects, abridgements of prerogative in favor of privilege, reservations of rights not surrendered to the prince. Such was MAGNA CHARTA, obtained by the barons, sword in hand, from King John. Such were the subsequent confirmations of that charter by subsequent princes. Such was the Petition of the Right assented to by Charles the First in the beginning of his reign. Such, also, was the Declaration of Right presented by the Lords and Commons to the Prince of Orange in 1688, and afterwards thrown into the form of an act of Parliament called the Bill of Rights. It is evident, therefore, that, according to their primitive signification, they have no application to constitutions, professedly founded upon the power of the people and executed by their immediate representatives and servants. Here, in strictness, the people surrender nothing; and as they retain everything they have no need of particular reservations. "WE, THE

PEOPLE of the United States, to secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." Here is a better recognition of popular rights than volumes of those aphorisms which make the principal figure in several of our State bills of rights and which would sound much better in a treatise of ethics than in a constitution of government.

But a minute detail of particular rights is certainly far less applicable to a Constitution like that under consideration, which is merely intended to regulate the general political interests of the nation, than to a constitution which has the regulation of every species of personal and private concerns. If, therefore, the loud clamors against the plan of the convention, on this score, are well founded, no epithets of reprobation will be too strong for the constitution of this State. But the truth is that both of them contain all which, in relation to their objects, is reasonably to be desired.

I go further and affirm that bills of rights, in the sense and to the extent in which they are contended for, are not only unnecessary in the proposed Constitution but would even be dangerous. They would contain various exceptions to powers not granted; and, on this very account, would afford a colorable pretext to claim more than were granted. For why declare that things shall not be done which there is no power to do? Why, for instance, should it be said that the liberty of the press shall not be restrained, when no power is given by which restrictions may be imposed? I will not contend that

such a provision would confer a regulating power; but it is evident that it would furnish, to men disposed to usurp, a plausible pretense for claiming that power. They might urge with a semblance of reason that the Constitution ought not to be charged with the absurdity of providing against the abuse of an authority which was not given, and that the provision against restraining the liberty of the press afforded a clear implication that a power to prescribe proper regulations concerning it was intended to be vested in the national government. This may serve as a specimen of the numerous handles which would be given to the doctrine of constructive powers, by the indulgence of an injudicious zeal for bills of rights.

On the subject of the liberty of the press, as much as has been said, I cannot forbear adding a remark or two: in the first place, I observe, that there is not a syllable concerning it in the constitution of this State; in the next, I contend that whatever has been said about it in that of any other State amounts to nothing. What signifies a declaration that "the liberty of the press shall be inviolably preserved"? What is the liberty of the press? Who can give it any definition which would not leave the utmost latitude for evasion? I hold it to be impracticable; and from this I infer that its security, whatever fine declarations may be inserted in any constitution respecting it, must altogether depend on public opinion, and on the general spirit of the people and of the government. And here, after all, as is intimated upon another

occasion, must we seek for the only solid basis of all our rights.

There remains but one other view of this matter to conclude the point. The truth is, after all the declamations we have heard, that the Constitution is itself, in every rational sense, and to every useful purpose, A BILL OF RIGHTS. The several bills of rights in Great Britain form its Constitution, and conversely the constitution of each State is its bill of rights. And the proposed Constitution, if adopted, will be the bill of rights of the Union. Is it one object of a bill of rights to declare and specify the political privileges of the citizens in the structure and administration of the government? This is done in the most ample and precise manner in the plan of the convention; comprehending various precautions for the public security which are not to be found in any of the State constitutions. Is another object of a bill of rights to define certain immunities and modes of proceeding, which are relative to personal and private concerns? This we have seen has also been attended to in a variety of cases in the same plan. Adverting therefore to the substantial meaning of a bill of rights, it is absurd to allege that it is not to be found in the work of the convention. It may be said that it does not go far enough though it will not be easy to make this appear; but it can with no propriety be contended that there is no such thing. It certainly must be immaterial what mode is observed as to the order of declaring the rights of the citizens if they are to be found in any part of the instrument which

establishes the government. And hence it must be apparent that much of what has been said on this subject rests merely on verbal and nominal distinctions, entirely foreign from the substance of the thing.

Another objection which has been made, and which, from the frequency of its repetition, it is to be presumed is relied on, is of this nature: "It is improper [say the objectors] to confer such large powers as are proposed upon the national government, because the seat of that government must of necessity be too remote from many of the States to admit of a proper knowledge on the part of the constituent of the conduct of the representative body." This argument, if it proves anything, proves that there ought to be no general government whatever. For the powers which, it seems to be agreed on all hands, ought to be vested in the Union, cannot be safely intrusted to a body which is not under every requisite control. But there are satisfactory reasons to show that the objection is in reality not well founded. There is in most of the arguments which relate to distance a palpable illusion of the imagination. What are the sources of information by which the people in Montgomery County must regulate their judgment of the conduct of their representatives in the State legislature? Of personal observation they can have no benefit. This is confined to the citizens on the spot. They must therefore depend on the information of intelligent men, in whom they confide; and how must these men obtain their information? Evidently

from the complexion of public measures, from the public prints, from correspondences with their representatives, and with other persons who reside at the place of their deliberations. This does not apply to Montgomery County only, but to all the counties at any considerable distance from the seat of government.

It is equally evident that the same sources of information would be open to the people in relation to the conduct of their representatives in the general government, and the impediments to a prompt communication which distance may be supposed to create will be overbalanced by the effects of the vigilance of the State governments. The executive and legislative bodies of each State will be so many sentinels over the persons employed in every department of the national administration; and as it will be in their power to adopt and pursue a regular and effectual system of intelligence, they can never be at a loss to know the behavior of those who represent their constituents in the national councils, and can readily communicate the same knowledge to the people. Their disposition to apprise the community of whatever may prejudice its interests from another quarter may be relied upon, if it were only from the rivalship of power. And we may conclude with the fullest assurance that the people, through that channel, will be better informed of the conduct of their national representatives than they can be by any means they now possess, of that of their State representatives.

It ought also to be remembered that the citizens who inhabit the country at and near the seat of government will, in all questions that affect the general liberty and prosperity, have the same interest with those who are at a distance, and that they will stand ready to sound the alarm when necessary, and to point out the actors in any pernicious project. The public papers will be expeditious messengers of intelligence to the most remote inhabitants of the Union.

Among the many curious objections which have appeared against the proposed Constitution, the most extraordinary and the least colorable one is derived from the want of some provision respecting the debts due to the United States. This has been represented as a tacit relinquishment of those debts, and as a wicked contrivance to screen public defaulters. The newspapers have teemed with the most inflammatory railings on this head; and yet there is nothing clearer than that the suggestion is entirely void of foundation, and is the offspring of extreme ignorance or extreme dishonesty. In addition to the remarks I have made upon the subject in another place, I shall only observe that as it is a plain dictate of common sense, so it is also an established doctrine of political law, that "States neither lose any of their rights, nor are discharged from any of their obligations by a change in the form of their civil government."

The last objection of any consequence, which I at present recollect, turns upon the article of expense. If it were even true that the adoption of the proposed government would

occasion a considerable increase of expense, it would be an objection that ought to have no weight against the plan.

The great bulk of the citizens of America are with reason convinced that Union is the basis of their political happiness. Men of sense of all parties now with few exceptions agree that it cannot be preserved under the present system, nor without radical alterations; that new and extensive powers ought to be granted to the national head, and that these require a different organization of the federal government – a single body being an unsafe depositary of such ample authorities. In conceding all this, the question of expense must be given up; for it is impossible, with any degree of safety, to narrow the foundation upon which the system is to stand. The two branches of the legislature are, in the first instance, to consist of only sixty-five persons, which is the same number of which Congress, under the existing Confederation, may be composed. It is true that this number is intended to be increased; but this is to keep pace with the increase progress of the population and resources of the country. It is evident that a less number would, even in the first instance, have been unsafe, and that a continuance of the present number would, in a more advanced stage of population, be a very inadequate representation of the people.

Whence is the dreaded augmentation of expense to spring? One source pointed out indicated, is the multiplication of

offices under the new government. Let us examine this a little.

It is evident that the principal departments of the administration under the present government are the same which will be required under the new. There are now a Secretary at War, a Secretary for Foreign Affairs, a Secretary for Domestic Affairs, a Board of Treasury, consisting of three persons, a treasurer, assistants, clerks, etc. These offices are indispensable under any system and will suffice under the new as well as under the old. As to ambassadors and other ministers and agents in foreign countries, the proposed Constitution can make no other difference than to render their characters, where they reside, more respectable, and their services more useful. As to persons to be employed in the collection of the revenues, it is unquestionably true that these will form a very considerable addition to the number of federal officers; but it will not follow that this will occasion an increase of public expense. It will be in most cases nothing more than an exchange of State officers for national officers. In the collection of all duties, for instance, the persons employed will be wholly of the latter description. The States individually will stand in no need of any for this purpose. What difference can it make in point of expense to pay officers of the customs appointed by the State or those appointed by the United States? There is no good reason to suppose that either the number or the salaries of the latter will be greater than those of the former.

Where then are we to seek for those additional articles of expense which are to swell the account to the enormous size that has been represented to us? The chief item which occurs to me respects the support of the judges of the United States. I do not add the President, because there is now a president of Congress, whose expenses may not be far, if anything, short of those which will be incurred on account of the President of the United States. The support of the judges will clearly be an extra expense, but to what extent will depend on the particular plan which may be adopted in practice in regard to this matter. But it can upon no reasonable plan amount to a sum which will be an object of material consequence.

Let us now see what there is to counterbalance any extra expense that may attend the establishment of the proposed government. The first thing that presents itself is that a great part of the business which now keeps Congress sitting through the year will be transacted by the President. Even the management of foreign negotiations will naturally devolve upon him, according to general principles concerted with the Senate, and subject to their final concurrence. Hence it is evident that a portion of the year will suffice for the session of both the Senate and the House of Representatives; we may suppose about a fourth for the latter and a third, or perhaps a half, for the former. The extra business of treaties and appointments may give this extra occupation to the Senate. From this circumstance we may

infer that, until the House of Representatives shall be increased greatly beyond its present number, there will be a considerable saving of expense from the difference between the constant session of the present and the temporary session of the future Congress.

But there is another circumstance of great importance in the view of economy. The business of the United States has hitherto occupied the State legislatures, as well as Congress. The latter has made requisitions which the former have had to provide for. Hence it has happened that the sessions of the State legislatures have been protracted greatly beyond what was necessary for the execution of the mere local business of the States. More than half their time has been frequently employed in matters which related to the United States. Now the members who compose the legislatures of the several States amount to two thousand and upwards, which number has hitherto performed what under the new system will be done in the first instance by sixty-five persons, and probably at no future period by above a fourth or fifth of that number. The Congress under the proposed government will do all the business of the United States themselves, without the intervention of the State legislatures, who thenceforth will have only to attend to the affairs of their particular States, and will not have to sit in any proportion as long as they have heretofore done. This difference in the time of the sessions of the State legislatures will be all clear gain, and will alone form an article of saving, which may be regarded as an

equivalent for any additional objects of expense that may be occasioned by the adoption of the new system.

The result from these observations is that the sources of additional expense from the establishment of the proposed Constitution are much fewer than may have been imagined; that they are counterbalanced by considerable objects of saving; and that while it is questionable on which side the scale will preponderate, it is certain that a government less expensive would be incompetent to the purposes of the Union.

SECTION 6

Cato

Cato, no. III

New York Journal

October 25, 1787

To the Citizens of the State of New York,

In the close of my last introductory address, I told you, that my object in future would be to take up this new form of national government, to compare it with the experience and opinions of the most sensible and approved political authors, and to show you that its principles, and the exercise of them will be dangerous to your liberty and happiness.

Although I am conscious that this is an arduous undertaking, yet I will perform it to the best of my ability.

The freedom, equality, and independence which you enjoyed by nature, induced you to consent to a political power. The same principles led you to examine the errors and vices of a British superintendence, to divest yourselves of it, and to reassume a new political shape. It is acknowledged that there are defects in this, and another is tendered to you for acceptance; the great question then, that arises on this new

political principle , is, whether it will answer the ends for which it is said to be offered to you, and for which all men engage in political society, to wit, the mutual preservation of their lives, liberties, and estates.

The recital, or premises on which the new form of government is erected, declares a consolidation or union of all the thirteen parts, or states, into one great whole, under the form of the United States, for all the various and important purposes therein set forth. But whoever seriously considers the immense extent of territory comprehended within the limits of the United States, together with the variety of its climates, productions, and commerce, the difference of extent, and number of inhabitants in all; the dissimilitude of interest, morals, and politics, in almost every one, will receive it as an intuitive truth, that a consolidated republican form of government therein, can never form a perfect union, establish justice, insure domestic tranquility, promote the general welfare, and secure the blessings of liberty to you and your posterity, for to these objects it must be directed. This unkindred legislature therefore, composed of interests opposite and dissimilar in their nature, will in its exercise, emphatically be like a house divided against itself.

The governments of Europe have taken their limits and form from adventitious circumstances, and nothing can be argued on the motive of agreement from them; but these adventitious political principles have nevertheless produced effects that have attracted the attention of philosophy, which have

established axioms in the science of politics therefrom, as irrefragable as any in Euclid. It is natural, says Montesquieu, to a republic to have only a small territory, otherwise it cannot long subsist: in a large one, there are men of large fortunes, and consequently of less moderation; there are too great deposits to trust in the hands of a single subject, an ambitious person soon becomes sensible that he may be happy, great, and glorious by oppressing his fellow citizens, and that he might raise himself to grandeur, on the ruins of his country. In large republics, the public good is sacrificed to a thousand views, in a small one, the interest of the public is easily perceived, better understood, and more within the reach of every citizen; abuses have a less extent, and of course are less protected he also shows you, that the duration of the republic of Sparta was owing to its having continued with the same extent of territory after all its wars; and that the ambition of Athens and Lacedemon to command and direct the union, lost them their liberties, and gave them a monarchy.

From this picture, what can you promise yourselves, on the score of consolidation of the United States into one government? Impracticability in the just exercise of it, your freedom insecure, even this form of government limited in its continuance, the employments of your country disposed of to the opulent, to whose contumely you will continually be an object. You must risk much, by indispensably placing trusts of the greatest magnitude, into the hands of individuals

whose ambition for power, and aggrandizement, will oppress and grind you. Where, from the vast extent of your territory, and the complication of interests, the science of government will become intricate and perplexed, and too mysterious for you to understand and observe; and by which you are to be conducted into a monarchy, either limited or despotic; the latter, Mr. Locke remarks, is a government derived from neither nature, nor compact.

Political liberty, the great Montesquieu again observes, consists in security, or at least in the opinion we have of security; and this security, therefore, or the opinion, is best obtained in moderate governments, where the mildness of the laws, and the equality of the manners, beget a confidence in the people, which produces this security, or the opinion. This moderation in governments depends in a great measure on their limits, connected with their political distribution.

The extent of many of the states of the Union, is at this time almost too great for the superintendence of a republican form of government, and must one day or other revolve into more vigorous ones, or by separation be reduced into smaller and more useful, as well as moderate ones. You have already observed the feeble efforts of Massachusetts against their insurgents; with what difficulty did they quell that insurrection; and is not the province of Maine at this moment on the eve of separation from her? The reason of these things is, that for the security of the property of the community, in which expressive term Mr. Locke makes life, liberty, and

estate, to consist the wheels of a republic are necessarily slow in their operation. Hence, in large free republics, the evil sometimes is not only begun, but almost completed, before they are in a situation to turn the current into a contrary progression. The extremes are also too remote from the usual seat of government, and the laws, therefore, too feeble to afford protection to all its parts, and insure domestic tranquility without the aid of another principle. If, therefore, this state [New York], and that of North Carolina, had an army under their control, they never would have lost Vermont, and Frankland, nor the state of Massachusetts suffered an insurrection, or the dismemberment of her fairest district; but the exercise of a principle which would have prevented these things, if we may believe the experience of ages, would have ended in the destruction of their liberties.

Will this consolidated republic, if established, in its exercise beget such confidence and compliance, among the citizens of these states, as to do without the aid of a standing army I deny that it will. The malcontents in each state, who will not be a few, nor the least important, will be exciting factions against it the fear of a dismemberment of some of its parts, and the necessity to enforce the execution Of revenue laws (a fruitful source of oppression) on the extremes and in the other districts of the government, will incidentally and necessarily require a permanent force, to be kept on foot will not political security, and even the opinion of it, be extinguished? can mildness and moderation exist in a

government where the primary incident in its exercise must be force? will not violence destroy confidence, and can equality subsist where the extent, policy, and practice of it will naturally lead to make odious distinctions among citizens?

The people who may compose this national legislature from the southern states, in which, from the mildness of the climate, the fertility of the soil, and the value of its productions, wealth is rapidly acquired, and where the same causes naturally lead to luxury, dissipation, and a passion for aristocratical distinction; where slavery is encouraged, and liberty of course less respected and protected; who know not what it is to acquire property by their own toil, nor to economize with the savings of industry will these men, therefore, be as tenacious of the liberties and interests of the more northern states, where freedom, independence, industry, equality and frugality are natural to the climate and soil, as men who are your own citizens, legislating in your own state, under your inspection, and whose manners and fortunes bear a more equal resemblance to your own?

It may be suggested, in answer to this, that whoever is a citizen of one state is a citizen of each, and that therefore he will be as interested in the happiness and interest of all, as the one he is delegated from. But the argument is fallacious, and, whoever has attended to the history of mankind, and the principles which bind them together as parents, citizens, or men, will readily perceive it. These principles are, in their

exercise, like a pebble cast on the calm surface of a river the circles begin in the center, and are small, active and forcible, but as they depart from that point, they lose their force, and vanish into calmness.

The strongest principle of union resides within our domestic walls. The ties of the parent exceed that of any other. As we depart from home, the next general principle of union is amongst citizens of the same state, where acquaintance, habits, and fortunes, nourish affection, and attachment; enlarge the circle still further, and, as citizens of different states, though we acknowledge the same national denomination, we lose in the ties of acquaintance, habits, and fortunes, and thus by degrees we lessen in our attachments, till, at length, we no more than acknowledge a sameness of species. Is it, therefore, from certainty like this, reasonable to believe, that inhabitants of Georgia, or New Hampshire, will have the same obligations towards you as your own, and preside over your lives, liberties, and property, with the same care and attachment? Intuitive reason answers in the negative.

In the course of my examination of the principals of consolidation of the states into one general government, many other reasons against it have occurred, but I flatter myself, from those herein offered to your consideration, I have convinced you that it is both presumptious and impracticable consistent with your safety. To detain you with further remarks, would be useless I shall however, continue

in my following numbers, to analise this new government, pursuant to my promise.

CATO

SECTION 7

Brutus

Brutus, no. 1

18 Oct. 1787

Let us now proceed to enquire, as I at first proposed, whether it be best the thirteen United States should be reduced to one great republic, or not? It is here taken for granted, that all agree in this, that whatever government we adopt, it ought to be a free one; that it should be so framed as to secure the liberty of the citizens of America, and such an one as to admit of a full, fair, and equal representation of the people. The question then will be, whether a government thus constituted, and founded on such principles, is practicable, and can be exercised over the whole United States, reduced into one state?

If respect is to be paid to the opinion of the greatest and wisest men who have ever thought or wrote on the science of government, we shall be constrained to conclude, that a free republic cannot succeed over a country of such immense extent, containing such a number of inhabitants, and these increasing in such rapid progression as that of the whole United States. Among the many illustrious authorities which

might be produced to this point, I shall content myself with quoting only two. The one is the baron de Montesquieu, spirit of laws, chap. xvi. vol. I [book VIII]. "It is natural to a republic to have only a small territory, otherwise it cannot long subsist. In a large republic there are men of large fortunes, and consequently of less moderation; there are trusts too great to be placed in any single subject; he has interest of his own; he soon begins to think that he may be happy, great and glorious, by oppressing his fellow citizens; and that he may raise himself to grandeur on the ruins of his country. In a large republic, the public good is sacrificed to a thousand views; it is subordinate to exceptions, and depends on accidents. In a small one, the interest of the public is easier perceived, better understood, and more within the reach of every citizen; abuses are of less extent, and of course are less protected." Of the same opinion is the marquis Beccarari.

History furnishes no example of a free republic, any thing like the extent of the United States. The Grecian republics were of small extent; so also was that of the Romans. Both of these, it is true, in process of time, extended their conquests over large territories of country; and the consequence was, that their governments were changed from that of free governments to those of the most tyrannical that ever existed in the world.

Not only the opinion of the greatest men, and the experience of mankind, are against the idea of an extensive republic, but

a variety of reasons may be drawn from the reason and nature of things, against it. In every government, the will of the sovereign is the law. In despotic governments the supreme authority being lodged in one, his will is law, and can be as easily expressed to a large extensive territory as to a small one. In a pure democracy the people are the sovereign, and their will is declared by themselves; for this purpose they must all come together to deliberate, and decide. This kind of government cannot be exercised, therefore, over a country of any considerable extent; it must be confined to a single city, or at least limited to such bounds as that the people can conveniently assemble, be able to debate, understand the subject submitted to them, and declare their opinion concerning it.

In a free republic, although all laws are derived from the consent of the people, yet the people do not declare their consent by themselves in person, but by representatives, chosen by them, who are supposed to know the minds of their constituents, and to be possessed of integrity to declare this mind.

In every free government, the people must give their assent to the laws by which they are governed. This is the true criterion between a free government and an arbitrary one. The former are ruled by the will of the whole, expressed in any manner they may agree upon; the latter by the will of one, or a few. If the people are to give their assent to the laws, by persons chosen and appointed by them, the manner

of the choice and the number chosen, must be such, as to possess, be disposed, and consequently qualified to declare the sentiments of the people; for if they do not know, or are not disposed to speak the sentiments of the people, the people do not govern, but the sovereignty is in a few. Now, in a large extended country, it is impossible to have a representation, possessing the sentiments, and of integrity, to declare the minds of the people, without having it so numerous and unwieldy, as to be subject in great measure to the inconveniency of a democratic government.

The territory of the United States is of vast extent; it now contains near three millions of souls, and is capable of containing much more than ten times that number. Is it practicable for a country, so large and so numerous as they will soon become, to elect a representation, that will speak their sentiments, without their becoming so numerous as to be incapable of transacting public business? It certainly is not.

In a republic, the manners, sentiments, and interests of the people should be similar. If this be not the case, there will be a constant clashing of opinions; and the representatives of one part will be continually striving, against those of the other. This will retard the operations of government, and prevent such conclusions as will promote the public good. If we apply this remark to the condition of the United States, we shall be convinced that it forbids that we should be one government. The United States includes a variety of climates.

The productions of the different parts of the union are very variant, and their interests, of consequence, diverse. Their manners and habits differ as much as their climates and productions; and their sentiments are by no means coincident. The laws and customs of the several states are, in many respects, very diverse, and in some opposite; each would be in favor of its own interests and customs, and, of consequence, a legislature, formed of representatives from the respective parts, would not only be too numerous to act with any care or decision, but would be composed of such heterogenous and discordant principles, as would constantly be contending with each other.

The laws cannot be executed in a republic, of an extent equal to that of the United States, with promptitude.

The magistrates in every government must be supported in the execution of the laws, either by an armed force, maintained at the public expence for that purpose; or by the people turning out to aid the magistrate upon his command, in case of resistance.

In despotic governments, as well as in all the monarchies of Europe, standing armies are kept up to execute the commands of the prince or the magistrate, and are employed for this purpose when occasion requires: But they have always proved the destruction of liberty, and [are] abhorrent to the spirit of a free republic. In England, where they depend upon the parliament for their annual support, they have always been complained of as oppressive and

unconstitutional, and are seldom employed in executing of the laws; never except on extraordinary occasions, and then under the direction of a civil magistrate.

A free republic will never keep a standing army to execute its laws. It must depend upon the support of its citizens. But when a government is to receive its support from the aid of the citizens, it must be so constructed as to have the confidence, respect, and affection of the people. Men who, upon the call of the magistrate, offer themselves to execute the laws, are influenced to do it either by affection to the government, or from fear; where a standing army is at hand to punish offenders, every man is actuated by the latter principle, and therefore, when the magistrate calls, will obey: but, where this is not the case, the government must rest for its support upon the confidence and respect which the people have for their government and laws. The body of the people being attached, the government will always be sufficient to support and execute its laws, and to operate upon the fears of any faction which may be opposed to it, not only to prevent an opposition to the execution of the laws themselves, but also to compel the most of them to aid the magistrate; but the people will not be likely to have such confidence in their rulers, in a republic so extensive as the United States, as necessary for these purposes. The confidence which the people have in their rulers, in a free republic, arises from their knowing them, from their being responsible to them for their conduct, and from the power they have of displacing

them when they misbehave: but in a republic of the extent of this continent, the people in general would be acquainted with very few of their rulers; the people at large would know little of their proceedings, and it would be extremely difficult to change them. The people in Georgia and New-Hampshire would not know one another's mind, and therefore could not act in concert to enable them to effect a general change of representatives. The different parts of so extensive a country could not possibly be made acquainted with the conduct of their representatives, nor be informed of the reasons upon which measures were founded. The consequence will be, they will have no confidence in their legislature, suspect them of ambitious views, be jealous of every measure they adopt, and will not support the laws they pass. Hence the government will be nerveless and inefficient, and no way will be left to render it otherwise, but by establishing an armed force to execute the laws at the point of the bayonet--a government of all others the most to be dreaded.

In a republic of such vast extent as the United-States, the legislature cannot attend to the various concerns and wants of its different parts. It cannot be sufficiently numerous to be acquainted with the local condition and wants of the different districts, and if it could, it is impossible it should have sufficient time to attend to and provide for all the variety of cases of this nature, that would be continually arising.

In so extensive a republic, the great officers of government would soon become above the controul of the people, and abuse their power to the purpose of aggrandizing themselves, and oppressing them. The trust committed to the executive offices, in a country of the extent of the United-States, must be various and of magnitude. The command of all the troops and navy of the republic, the appointment of officers, the power of pardoning offences, the collecting of all the public revenues, and the power of expending them, with a number of other powers, must be lodged and exercised in every state, in the hands of a few. When these are attended with great honor and emolument, as they always will be in large states, so as greatly to interest men to pursue them, and to be proper objects for ambitious and designing men, such men will be ever restless in their pursuit after them. They will use the power, when they have acquired it, to the purposes of gratifying their own interest and ambition, and it is scarcely possible, in a very large republic, to call them to account for their misconduct, or to prevent their abuse of power.

These are some of the reasons by which it appears, that a free republic cannot long subsist over a country of the great extent of these states. If then this new constitution is calculated to consolidate the thirteen states into one, as it evidently is, it ought not to be adopted.

SECTION 8

Federalist Paper

No. 1

By PUBLIUS (ALEXANDER HAMILTON)

October 27, 1787

After full experience of the insufficiency of the subsisting federal government, you are invited to deliberate on a New Constitution for the United States of America. The subject speaks its own importance; comprehending in its consequences, nothing less than the existence of the UNION, the safety and welfare of the parts of which it is composed, the fate of an empire, in many respects, the most interesting in the world. It has been frequently remarked, that it seems to have been reserved to the people of this country to decide, by their conduct and example, the important question, whether societies of men are really capable or not, of establishing good government from reflection and choice, or whether they are forever destined to depend, for their political constitutions, on accident and force. If there be any truth in the remark, the crisis at which we are arrived may, with propriety, be regarded as the period

when that decision is to be made; and a wrong election of the part we shall act may, in this view, deserve to be considered as the general misfortune of mankind.

This idea, by adding the inducements of philanthropy to those of patriotism, will heighten the solicitude which all considerate and good men must feel for the event. Happy will it be if our choice should be directed by a judicious estimate of our true interests, uninfluenced by considerations foreign to the public good. But this is more ardently to be wished for, than seriously to be expected. The plan offered to our deliberations, affects too many particular interests, innovates upon too many local institutions, not to involve in its discussion a variety of objects extraneous to its merits, and of views, passions and prejudices little favorable to the discovery of truth.

Among the most formidable of the obstacles which the new constitution will have to encounter may readily be distinguished the obvious interest of a certain class of men in every state to resist all changes which may hazard a diminution of the power, emolument and consequence of the offices they hold under the state establishments... and the perverted ambition of another class of men, who will either hope to aggrandize themselves by the confusions of their country, or will flatter themselves with fairer prospects of elevation from the subdivision of the empire into several partial confederacies, than from its union under one government.

It is not, however, my design to dwell upon observations of this nature. I am aware that it would be disingenuous to resolve indiscriminately the opposition of any set of men into interested or ambitious views, merely because their situations might subject them to suspicion. Candour will oblige us to admit, that even such men may be actuated by upright intentions; and it cannot be doubted, that much of the opposition, which has already shown itself, or that may hereafter make its appearance, will spring from sources blameless at least, if not respectable . . . the honest errors of minds led astray by preconceived jealousies and fears. So numerous indeed and so powerful are the causes which serve to give a false bias to the judgment, that we, upon many occasions, see wise and good men on the wrong as well as on the right side of questions, of the first magnitude to society. This circumstance, if duly attended to, would always furnish a lesson of moderation to those, who are engaged in any controversy, however well persuaded of being in the right. And a further reason for caution, in this respect, might be drawn from the reflection, that we are not always sure, that those who advocate the truth are activated by purer principles than their antagonists. Ambition, avarice, personal animosity, party opposition, and many other motives, not more laudable than these, are apt to operate as well upon those who support, as those who oppose, the right side of a question. Were there not even these inducements to moderation, nothing could be more ill judged than that intolerant spirit, which has, at all times, characterized

political parties. For, in politics as in religion, it is equally absurd to aim at making proselytes by fire and sword. Heresies in either can rarely be cured by persecution.

And yet, just as these sentiments must appear to candid men, we have already sufficient indications, that it will happen in this as, in all former cases of great national discussion. A torrent of angry and malignant passions will be let loose. To judge from the conduct of the opposite parties, we shall be led to conclude, that they will mutually hope to evince the justness of their opinions, and to increase the number of their converts, by the loudness of their declamations, and by the bitterness of their invectives. An enlightened zeal for the energy and efficiency of government, will be stigmatized as the offspring of a temper fond of power and hostile to the principles of liberty. An over scrupulous jealousy of danger to the rights of the people, which is more commonly the fault of the head than of the heart, will be represented as mere pretence and artifice . . . the stale bait for popularity at the expense of public good. It will be forgotten, on the one hand, that jealousy is the usual concomitant of violent love, and that the noble enthusiasm of liberty is too apt to be infected with a spirit of narrow and illiberal distrust. On the other hand, it will be equally forgotten, that the vigor of government is essential to the security of liberty; that, in the contemplation of a sound and well informed judgment, their interests can never be separated; and that a dangerous ambition more often lurks behind the specious mask of zeal

for the rights of the people, than under the forbidding appearances of zeal for the firmness and efficiency of government. History will teach us, that the former has been found a much more certain road to the introduction of despotism, than the latter, and that of those men who have overturned the liberties of republics, the greatest number have begun their career, by paying an obsequious court to the people . . . commencing demagogues, and ending tyrants.

In the course of the preceding observations, it has been my aim, my fellow-citizens, to put you upon your guard against all attempts, from whatever quarter, to influence your decision in a matter of the utmost moment to your welfare, by any impressions, other than those which may result from the evidence of truth. You will, no doubt, at the same time, have collected from the general scope of them, that they proceed from a source not unfriendly to the new constitution. Yes, my countrymen, I own to you, that, after having given it an attentive consideration, I am clearly of opinion it is your interest to adopt it. I am convinced, that this is the safest course for your liberty, your dignity, and your happiness. I affect not reserves, which I do not feel. I will not amuse you with an appearance of deliberation, when I have decided. I frankly acknowledge to you my convictions, and I will freely lay before you the reasons on which they are founded. The consciousness of good intentions disdains ambiguity. I shall not however multiply professions on this head. My motives must remain in the depository of my own breast: my

arguments will be open to all and may be judged of by all. They shall at least be offered in a spirit, which will not disgrace the cause of truth.

I propose, in a series of papers, to discuss the following interesting particulars . . . The utility of the UNION to your political prosperity . . . The insufficiency of the present confederation to preserve that Union . . . The necessity of a government at least equally energetic with the one proposed, to the attainment of this object . . . The conformity of the proposed constitution to the true principles of republican government . . . Its analogy to your own state constitution . . . and lastly, The additional security, which its adoption will afford to the preservation of that species of government, to liberty and to property.

In the progress of this discussion, I shall endeavor to give a satisfactory answer to all the objections which shall have made their appearance, that may seem to have any claim to attention.

It may perhaps be thought superfluous to offer arguments to prove the utility of the UNION, a point, no doubt, deeply engraved on the hearts of the great body of the people in every state, and one which, it may be imagined, has no adversaries. But the fact, is that we already hear it whispered in the private circles of those who oppose the new constitution, that the Thirteen States are of too great extent for any general system, and that we must of necessity resort to separate confederacies of distinct portions of the whole.

This doctrine will, in all probability, be gradually propagated, till it has votaries enough to countenance its open avowal.

For nothing can be more evident, to those who are able to take an enlarged view of the subject, than the alternative of an adoption of the constitution, or a dismemberment of the Union. It may, therefore, be essential to examine particularly the advantages of that Union, the certain evils, and so the probable dangers, to which every state will be exposed from its dissolution. This shall accordingly be done.

PUBLIUS

SECTION 9

Federalist Paper

No. 10

By PUBLIUS (JAMES MADISON)

November 22, 1787

Among the numerous advantages promised by a well constructed union, none deserves to be more accurately developed, than its tendency to break and control the violence of faction. The friend of popular governments, never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail, therefore, to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice, and confusion, introduced into the public councils, have, in truth, been the mortal diseases under which popular governments have every where perished; as they continue to be the favourite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitutions on the popular models, both ancient

and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side, as was wished and expected. Complaints are every where heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable; that the public good is disregarded in the conflicts of rival parties; and that measures are too often decided, not according to the rules of justice, and the rights of the minor party, but by the superior force of an interested and overbearing majority. However anxiously we may wish that these complaints had no foundation, the evidence of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labour, have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements, and alarm for private rights, which are echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice, with which a factious spirit has tainted our public administrations.

By a faction, I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: The one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: The one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said, than of the first remedy, that it is worse than the disease. Liberty is to faction, what air is to fire, an aliment, without which it instantly expires. But it could not be a less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable, as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The

diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to an uniformity of interests. The protection of these faculties, is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

The latent causes of faction are thus sown in the nature of man; and we see them every where brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders, ambitiously contending for pre-eminence and power; or to persons of other descriptions, whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other, than to co-operate for their common good. So strong is this propensity of mankind, to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions, and excite their most violent conflicts. But the most common and durable source of factions, has been the various and unequal

distribution of property. Those who hold, and those who are without property, have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a monied interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests, forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of government.

No man is allowed to be a judge in his own cause; because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay, with greater reason, a body of men are unfit to be both judges and parties, at the same time; yet, what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? and what are the different classes of legislators, but advocates and parties to the causes which they determine? Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side, and the debtors on the other. Justice ought to hold the balance between them. Yet the parties are, and must be, themselves the judges; and the most numerous party, or, in other words, the most

powerful faction, must be expected to prevail. Shall domestic manufactures be encouraged, and in what degree, by restrictions on foreign manufactures? are questions which would be differently decided by the landed and the manufacturing classes; and probably by neither with a sole regard to justice and the public good. The apportionment of taxes, on the various descriptions of property, is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party, to trample on the rules of justice. Every shilling with which they overburden the inferior number, is a shilling saved to their own pockets.

It is in vain to say, that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm: nor, in many cases, can such an adjustment be made at all, without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another, or the good of the whole.

The inference to which we are brought, is, that the causes of faction cannot be removed; and that relief is only to be sought in the means of controlling its effects.

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views, by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest, both the public good and the rights of other citizens. To secure the public good, and private rights, against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add, that it is the great desideratum, by which alone this form of government can be rescued from the opprobrium under which it has so long laboured, and be recommended to the esteem and adoption of mankind.

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority, at the same time, must be prevented; or the majority, having such co-existent passion or interest, must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. If the impulse and the opportunity be suffered to coincide, we well know, that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their

efficacy in proportion to the number combined together; that is, in proportion as their efficacy becomes needful.

From this view of the subject, it may be concluded, that a pure democracy, by which I mean, a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert, results from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party, or an obnoxious individual. Hence it is, that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security, or the rights of property; and have, in general, been as short in their lives, as they have been violent in their deaths. Theoretic politicians, who have patronised this species of government, have erroneously supposed, that, by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the union.

The two great points of difference, between a democracy and a republic, are, first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice, will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen, that the public voice, pronounced by the representatives of the people, will be more consonant to the public good, than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests of the people. The question resulting is, whether small or extensive republics are most favourable to the election of proper guardians of the public weal; and it is clearly decided in favour of the latter by two obvious considerations.

In the first place, it is to be remarked, that however small the republic may be, the representatives must be raised to a certain number, in order to guard against the cabals of a few; and that, however large it may be, they must be limited to a

certain number, in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the constituents, and being proportionally greatest in the small republic, it follows, that if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practise with success the vicious arts, by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre in men who possess the most attractive merit, and the most diffusive and established characters.

It must be confessed, that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representative too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal constitution forms a happy combination in this respect; the great and aggregate interests, being referred to the national, the local and particular to the state legislatures.

The other point of difference is, the greater number of citizens, and extent of territory, which may be brought within the compass of republican, than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former, than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. Besides other impediments, it may be remarked, that where there is a consciousness of unjust or dishonourable purposes, communication is always checked by distrust, in proportion to the number whose concurrence is necessary.

Hence it clearly appears, that the same advantage, which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic . . . is enjoyed by the union over the states composing it. Does this advantage consist in the substitution of representatives,

whose enlightened views and virtuous sentiments render them superior to local prejudices, and to schemes of injustice? It will not be denied, that the representation of the union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties, comprised within the union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular states, but will be unable to spread a general conflagration through the other states: a religious sect may degenerate into a political faction in a part of the confederacy; but the variety of sects dispersed over the entire face of it, must secure the national councils against any danger from that source: a rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the union, than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire state.

In the extent and proper structure of the union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit, and supporting the character of federalists.

PUBLIUS

SECTION 10

Notes on the State of Virginia Query XVII

By THOMAS JEFFERSON

Notes on the State of Virginia: QUERY XVII (Religion)

1781

The different religions received into that state?

The first settlers in this country were emigrants from England, of the English church, just at a point of time when it was flushed with complete victory over the religious of all other persuasions. Possessed, as they became, of the powers of making, administering, and executing the laws, they shewed equal intolerance in this country with their Presbyterian brethren, who had emigrated to the northern government. The poor Quakers were flying from persecution in England. They cast their eyes on these new countries as asylums of civil and religious freedom; but they found them free only for the reigning sect. Several acts of the Virginia assembly of 1659, 1662, and 1693, had made it penal in parents to refuse to have their children baptized; had

prohibited the unlawful assembling of Quakers; had made it penal for any master of a vessel to bring a Quaker into the state; had ordered those already here, and such as should come thereafter, to be imprisoned till they should abjure the country; provided a milder punishment for their first and second return, but death for their third; had inhibited all persons from suffering their meetings in or near their houses, entertaining them individually, or disposing of books which supported their tenets. If no capital execution took place here, as did in New-England, it was not owing to the moderation of the church, or spirit of the legislature, as may be inferred from the law itself; but to historical circumstances which have not been handed down to us. The Anglicans retained full possession of the country about a century. Other opinions began then to creep in, and the great care of the government to support their own church, having begotten an equal degree of indolence in its clergy, two-thirds of the people had become dissenters at the commencement of the present revolution. The laws indeed were still oppressive on them, but the spirit of the one party had subsided into moderation, and of the other had risen to a degree of determination which commanded respect.

The present state of our laws on the subject of religion is this. The convention of May 1776, in their declaration of rights, declared it to be a truth, and a natural right, that the exercise of religion should be free; but when they proceeded to form on that declaration the ordinance of government, instead of

taking up every principle declared in the bill of rights, and guarding it by legislative sanction, they passed over that which asserted our religious rights, leaving them as they found them. The same convention, however, when they met as a member of the general assembly in October 1776, repealed all acts of parliament which had rendered criminal the maintaining any opinions in matters of religion, the forbearing to repair to church, and the exercising any mode of worship; and suspended the laws giving salaries to the clergy, which suspension was made perpetual in October 1779. Statutory oppressions in religion being thus wiped away, we remain at present under those only imposed by the common law, or by our own acts of assembly. At the common law, heresy was a capital offence, punishable by burning. Its definition was left to the ecclesiastical judges, before whom the conviction was, till the statute of the 1 El. c. 1.

circumscribed it, by declaring, that nothing should be deemed heresy, but what had been so determined by authority of the canonical scriptures, or by one of the four first general councils, or by some other council having for the grounds of their declaration the express and plain words of the scriptures. Heresy, thus circumscribed, being an offence at the common law, our act of assembly of October 1777, c. 17. gives cognizance of it to the general court, by declaring, that the jurisdiction of that court shall be general in all matters at the common law. The execution is by the writ De haeretico comburendo. By our own act of assembly of 1705, c. 30, if a person brought up in the Christian religion denies

the being of a God, or the Trinity, or asserts there are more Gods than one, or denies the Christian religion to be true, or the scriptures to be of divine authority, he is punishable on the first offence by incapacity to hold any office or employment ecclesiastical, civil, or military; on the second by disability to sue, to take any gift or legacy, to be guardian, executor, or administrator, and by three years imprisonment, without bail. A father's right to the custody of his own children being founded in law on his right of guardianship, this being taken away, they may of course be severed from him, and put, by the authority of a court, into more orthodox hands. This is a summary view of that religious slavery, under which a people have been willing to remain, who have lavished their lives and fortunes for the establishment of their civil freedom. The error seems not sufficiently eradicated, that the operations of the mind, as well as the acts of the body, are subject to the coercion of the laws. But our rulers can have authority over such natural rights only as we have submitted to them. The rights of conscience we never submitted, we could not submit. We are answerable for them to our God. The legitimate powers of government extend to such acts only as are injurious to others. But it does me no injury for my neighbor to say there are twenty gods, or no god. It neither picks my pocket nor breaks my leg. If it be said, his testimony in a court of justice cannot be relied on, reject it then, and be the stigma on him. Constraint may make him worse by making him a hypocrite, but it will never make him a truer man. It may fix him obstinately in his

errors, but will not cure them. Reason and free enquiry are the only effectual agents against error. Give a loose to them, they will support the true religion, by bringing every false one to their tribunal, to the test of their investigation. They are the natural enemies of error, and of error only. Had not the Roman government permitted free enquiry, Christianity could never have been introduced. Had not free enquiry been indulged, at the æra of the reformation, the corruptions of Christianity could not have been purged away. If it be restrained now, the present corruptions will be protected, and new ones encouraged. Was the government to prescribe to us our medicine and diet, our bodies would be in such keeping as our souls are now. Thus in France the emetic was once forbidden as a medicine, and the potato as an article of food. Government is just as infallible too when it fixes systems in physics. Galileo was sent to the inquisition for affirming that the earth was a sphere: the government had declared it to be as flat as a trencher, and Galileo was obliged to abjure his error. This error however at length prevailed, the earth became a globe, and Descartes declared it was whirled round its axis by a vortex. The government in which he lived was wise enough to see that this was no question of civil jurisdiction, or we should all have been involved by authority in vortices. In fact, the vortices have been exploded, and the Newtonian principle of gravitation is now more firmly established, on the basis of reason, than it would be were the government to step in, and to make it an article of necessary faith. Reason and experiment have been

indulged, and error has fled before them. It is error alone which needs the support of government. Truth can stand by itself. Subject opinion to coercion: whom will you make your inquisitors? Fallible men; men governed by bad passions, by private as well as public reasons. And why subject it to coercion? To produce uniformity. But is uniformity of opinion desirable? No more than of face and stature. Introduce the bed of Procrustes then, and as there is danger that the large men may beat the small, make us all of a size, by lopping the former and stretching the latter. Difference of opinion is advantageous in religion. The several sects perform the office of a Censor morum over each other. Is uniformity attainable? Millions of innocent men, women, and children, since the introduction of Christianity, have been burnt, tortured, fined, imprisoned; yet we have not advanced one inch towards uniformity. What has been the effect of coercion? To make one half the world fools, and the other half hypocrites. To support roguery and error all over the earth. Let us reflect that it is inhabited by a thousand millions of people. That these profess probably a thousand different systems of religion. That ours is but one of that thousand. That if there be but one right, and ours that one, we should wish to see the 999 wandering sects gathered into the fold of truth. But against such a majority we cannot effect this by force. Reason and persuasion are the only practicable instruments. To make way for these, free enquiry must be indulged; and how can we wish others to indulge it while we refuse it ourselves. But every state, says an inquisitor, has

established some religion. No two, say I, have established the same. Is this a proof of the infallibility of establishments? Our sister states of Pennsylvania and New York, however, have long subsisted without any establishment at all. The experiment was new and doubtful when they made it. It has answered beyond conception. They flourish infinitely. Religion is well supported; of various kinds, indeed, but all good enough; all sufficient to preserve peace and order: or if a sect arises, whose tenets would subvert morals, good sense has fair play, and reasons and laughs it out of doors, without suffering the state to be troubled with it. They do not hang more malefactors than we do. They are not more disturbed with religious dissensions. On the contrary, their harmony is unparalleled, and can be ascribed to nothing but their unbounded tolerance, because there is no other circumstance in which they differ from every nation on earth. They have made the happy discovery, that the way to silence religious disputes, is to take no notice of them. Let us too give this experiment fair play, and get rid, while we may, of those tyrannical laws. It is true, we are as yet secured against them by the spirit of the times. I doubt whether the people of this country would suffer an execution for heresy, or a three years imprisonment for not comprehending the mysteries of the Trinity. But is the spirit of the people an infallible, a permanent reliance? Is it government? Is this the kind of protection we receive in return for the rights we give up? Besides, the spirit of the times may alter, will alter. Our rulers will become corrupt, our people careless. A single

zealot may commence persecutor, and better men be his victims. It can never be too often repeated, that the time for fixing every essential right on a legal basis is while our rulers are honest, and ourselves united. From the conclusion of this war we shall be going down hill. It will not then be necessary to resort every moment to the people for support. They will be forgotten, therefore, and their rights disregarded. They will forget themselves, but in the sole faculty of making money, and will never think of uniting to effect a due respect for their rights. The shackles, therefore, which shall not be knocked off at the conclusion of this war, will remain on us long, will be made heavier and heavier, till our rights shall revive or expire in a convulsion.

UNIT 2

NATIONAL SECURITY, LIBERTY
OF THE INDIVIDUAL AND
NATION, ORIGINALLY
CONCEIVED



SECTION 1

National Security, Liberty of the Individual and Nation

Federalist 23

By PUBLIUS (ALEXANDER HAMILTON)

The Necessity of a Government as Energetic as the One Proposed to the Preservation of the Union

Tuesday, December 18, 1787

To the People of the State of New York:

THE necessity of a Constitution, at least equally energetic with the one proposed, to the preservation of the Union, is the point at the examination of which we are now arrived.

This inquiry will naturally divide itself into three branches -- the objects to be provided for by the federal government, the

quantity of power necessary to the accomplishment of those objects, the persons upon whom that power ought to operate. Its distribution and organization will more properly claim our attention under the succeeding head.

The principal purposes to be answered by union are these -- the common defense of the members; the preservation of the public peace as well against internal convulsions as external attacks; the regulation of commerce with other nations and between the States; the superintendence of our intercourse, political and commercial, with foreign countries.

The authorities essential to the common defense are these: to raise armies; to build and equip fleets; to prescribe rules for the government of both; to direct their operations; to provide for their support. These powers ought to exist without limitation, because it is impossible to foresee or define the extent and variety of national exigencies, or the correspondent extent and variety of the means which may be necessary to satisfy them. The circumstances that endanger the safety of nations are infinite, and for this reason no constitutional shackles can wisely be imposed on the power to which the care of it is committed. This power ought to be coextensive with all the possible combinations of such circumstances; and ought to be under the direction of the same councils which are appointed to preside over the common defense.

This is one of those truths which, to a correct and unprejudiced mind, carries its own evidence along with it;

and may be obscured, but cannot be made plainer by argument or reasoning. It rests upon axioms as simple as they are universal; the means ought to be proportioned to the end; the persons, from whose agency the attainment of any end is expected, ought to possess the means by which it is to be attained.

Whether there ought to be a federal government intrusted with the care of the common defense, is a question in the first instance, open for discussion; but the moment it is decided in the affirmative, it will follow, that that government ought to be clothed with all the powers requisite to complete execution of its trust. And unless it can be shown that the circumstances which may affect the public safety are reducible within certain determinate limits; unless the contrary of this position can be fairly and rationally disputed, it must be admitted, as a necessary consequence, that there can be no limitation of that authority which is to provide for the defense and protection of the community, in any matter essential to its efficacy that is, in any matter essential to the formation, direction, or support of the NATIONAL FORCES.

Defective as the present Confederation has been proved to be, this principle appears to have been fully recognized by the framers of it; though they have not made proper or adequate provision for its exercise. Congress have an unlimited discretion to make requisitions of men and money; to govern the army and navy; to direct their operations. As

their requisitions are made constitutionally binding upon the States, who are in fact under the most solemn obligations to furnish the supplies required of them, the intention evidently was that the United States should command whatever resources were by them judged requisite to the "common defense and general welfare." It was presumed that a sense of their true interests, and a regard to the dictates of good faith, would be found sufficient pledges for the punctual performance of the duty of the members to the federal head.

The experiment has, however, demonstrated that this expectation was ill-founded and illusory; and the observations, made under the last head, will, I imagine, have sufficed to convince the impartial and discerning, that there is an absolute necessity for an entire change in the first principles of the system; that if we are in earnest about giving the Union energy and duration, we must abandon the vain project of legislating upon the States in their collective capacities; we must extend the laws of the federal government to the individual citizens of America; we must discard the fallacious scheme of quotas and requisitions, as equally impracticable and unjust. The result from all this is that the Union ought to be invested with full power to levy troops; to build and equip fleets; and to raise the revenues which will be required for the formation and support of an army and navy, in the customary and ordinary modes practiced in other governments.

If the circumstances of our country are such as to demand a compound instead of a simple, a confederate instead of a sole, government, the essential point which will remain to be adjusted will be to discriminate the OBJECTS, as far as it can be done, which shall appertain to the different provinces or departments of power; allowing to each the most ample authority for fulfilling the objects committed to its charge. Shall the Union be constituted the guardian of the common safety? Are fleets and armies and revenues necessary to this purpose? The government of the Union must be empowered to pass all laws, and to make all regulations which have relation to them. The same must be the case in respect to commerce, and to every other matter to which its jurisdiction is permitted to extend. Is the administration of justice between the citizens of the same State the proper department of the local governments? These must possess all the authorities which are connected with this object, and with every other that may be allotted to their particular cognizance and direction. Not to confer in each case a degree of power commensurate to the end, would be to violate the most obvious rules of prudence and propriety, and improvidently to trust the great interests of the nation to hands which are disabled from managing them with vigor and success.

Who is likely to make suitable provisions for the public defense, as that body to which the guardianship of the public safety is confided; which, as the centre of information, will

best understand the extent and urgency of the dangers that threaten; as the representative of the WHOLE, will feel itself most deeply interested in the preservation of every part; which, from the responsibility implied in the duty assigned to it, will be most sensibly impressed with the necessity of proper exertions; and which, by the extension of its authority throughout the States, can alone establish uniformity and concert in the plans and measures by which the common safety is to be secured? Is there not a manifest inconsistency in devolving upon the federal government the care of the general defense, and leaving in the State governments the effective powers by which it is to be provided for? Is not a want of co-operation the infallible consequence of such a system? And will not weakness, disorder, an undue distribution of the burdens and calamities of war, an unnecessary and intolerable increase of expense, be its natural and inevitable concomitants? Have we not had unequivocal experience of its effects in the course of the revolution which we have just accomplished?

Every view we may take of the subject, as candid inquirers after truth, will serve to convince us, that it is both unwise and dangerous to deny the federal government an unconfined authority, as to all those objects which are intrusted to its management. It will indeed deserve the most vigilant and careful attention of the people, to see that it be modeled in such a manner as to admit of its being safely vested with the requisite powers. If any plan which has been, or may be,

offered to our consideration, should not, upon a dispassionate inspection, be found to answer this description, it ought to be rejected. A government, the constitution of which renders it unfit to be trusted with all the powers which a free people ought to delegate to any government, would be an unsafe and improper depositary of the NATIONAL INTERESTS. Wherever THESE can with propriety be confided, the coincident powers may safely accompany them. This is the true result of all just reasoning upon the subject. And the adversaries of the plan promulgated by the convention ought to have confined themselves to showing, that the internal structure of the proposed government was such as to render it unworthy of the confidence of the people. They ought not to have wandered into inflammatory declamations and unmeaning cavils about the extent of the powers. The POWERS are not too extensive for the OBJECTS of federal administration, or, in other words, for the management of our NATIONAL INTERESTS; nor can any satisfactory argument be framed to show that they are chargeable with such an excess. If it be true, as has been insinuated by some of the writers on the other side, that the difficulty arises from the nature of the thing, and that the extent of the country will not permit us to form a government in which such ample powers can safely be reposed, it would prove that we ought to contract our views, and resort to the expedient of separate confederacies, which will move within more practicable spheres. For the absurdity must continually stare us in the face of confiding to a government the direction

of the most essential national interests, without daring to trust it to the authorities which are indispensable to their proper and efficient management. Let us not attempt to reconcile contradictions, but firmly embrace a rational alternative.

I trust, however, that the impracticability of one general system cannot be shown. I am greatly mistaken, if any thing of weight has yet been advanced of this tendency; and I flatter myself, that the observations which have been made in the course of these papers have served to place the reverse of that position in as clear a light as any matter still in the womb of time and experience can be susceptible of. This, at all events, must be evident, that the very difficulty itself, drawn from the extent of the country, is the strongest argument in favor of an energetic government; for any other can certainly never preserve the Union of so large an empire. If we embrace the tenets of those who oppose the adoption of the proposed Constitution, as the standard of our political creed, we cannot fail to verify the gloomy doctrines which predict the impracticability of a national system pervading entire limits of the present Confederacy.

PUBLIUS

SECTION 2

The Proclamation of Neutrality

The Proclamation of Neutrality

George Washington

Philadelphia

April 22, 1793

Whereas it appears that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands, on the one part, and France on the other; and the duty and interest of the United States require, that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial toward the belligerant Powers:

I have therefore thought fit by these presents, to declare the disposition of the United States to observe the conduct aforesaid towards those Powers respectfully; and to exhort and warn the citizens of the United States carefully to avoid

all acts and proceedings whatsoever, which may in any manner tend to contravene such disposition.

And I do hereby also make known, that whatsoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the law of nations, by committing, aiding or abetting hostilities against any of the said Powers, or by carrying to any of them those articles which are deemed contraband by the modern usage of nations, will not receive the protection of the United States against such punishment or forfeiture; and further that I have given instructions to those officers to whom it belongs, to cause prosecutions to be instituted against all persons, who shall, within the cognizance of the courts of the United States, violate the law of nations, with respect to the Powers at war, or any of them.

SECTION 3

Farewell Address

By GEORGE WASHINGTON

October 19, 1796

Friends, and Fellow-Citizens:

The period for a new election of a Citizen, to Administer the Executive government of the United States being not far distant, and the time actually arrived, when your thoughts must be employed in designating the person, who is to be cloathed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation, which binds a dutiful citizen to his country, and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect

for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your Suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped, that it would have been much earlier in my power, consistently with motives, which I was not at liberty to disregard, to return to that retirement, from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last Election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our Affairs with foreign Nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice, that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions, with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say, that I have, with good intentions, contributed towards the Organization and Administration of the government, the best exertions of

which a very fallible judgment was capable. Not unconscious, in the outset, of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe, that while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment, which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the stedfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that, under circumstances in which the Passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of Success has countenanced the spirit of criticism, the

constancy of your support was the essential prop of the efforts, and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your Union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its Administration in every department may be stamped with wisdom and Virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments; which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a People. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your

endulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The Unity of Government which constitutes you one people is also now dear to you. It is justly so; for it is a main Pillar in the Edifice of your real independence, the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very Liberty which you so highly prize. But as it is easy to foresee, that from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual and immoveable attachment to it; accustoming yourselves to think and speak of it as of the Palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our

Country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice, of a common country, that country has a right to concentrate your affections. The name of AMERICAN, which belongs to you, in your national capacity, must always exalt the just pride of Patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same Religion, Manners, Habits, and political Principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils, and joint efforts; of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility are greatly outweighed by those which apply more immediately to your Interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal Laws of a common government, finds in the productions of the latter, great additional resources of Maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same Intercourse, benefitting by the same Agency of the North, sees its agriculture grow and its commerce expand. Turning

partly into its own channels the seamen of the North, it finds its particular navigation enlivened; and while it contributes, in different ways, to nourish and increase the general mass of the National navigation, it looks forward to the protection of a Maritime strength, to which itself is unequally adapted. The East, in a like Intercourse with the West, already finds, and in the progressive improvement of interior communications, by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future Maritime strength of the Atlantic side of the Union, directed by an indissoluble community of Interest as one Nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign Power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular Interest in Union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their Peace by foreign Nations; and what is of inestimable value! they must derive from Union an exemption from those

broils and Wars between themselves, which so frequently afflict neighbouring countries, not tied together by the same government; which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and imbitter. Hence, likewise, they will avoid the necessity of those overgrown Military establishments, which under any form of Government are inauspicious to liberty, and which are to be regarded as particularly hostile to Republican Liberty: In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the UNION as a primary object of Patriotic desire. Is there a doubt, whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective Subdivisions, will afford a happy issue to the experiment. 'Tis well worth a fair and full experiment. With such powerful and obvious motives to Union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason, to distrust the patriotism of those, who in any quarter may endeavor to weaken its bands.

In contemplating the causes wch. may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by Geographical discriminations: Northern and Southern; Atlantic and Western; whence designing men may endeavour to excite a belief that there is a real difference of local interests and views. One of the expedients of Party to acquire influence, within particular districts, is to misrepresent the opinions and aims of other Districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render Alien to each other those who ought to be bound together by fraternal affection. The Inhabitants of our Western country have lately had a useful lesson on this head. They have seen, in the Negotiation by the Executive, and in the unanimous ratification by the Senate, of the Treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their Interests in regard to the Mississippi. They have been witnesses to the formation of two Treaties, that with G: Britain and that with Spain, which secure to them every thing they could desire, in respect to our Foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by wch. they were procured? Will they not henceforth be deaf to those advisers, if such there are, who

would sever them from their Brethren and connect them with Aliens?

To the efficacy and permanency of Your Union, a Government for the whole is indispensable. No Alliances however strict between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all Alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of Government, better calculated than your former for an intimate Union, and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its Laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true Liberty. The basis of our political systems is the right of the people to make and to alter their Constitutions of Government. But the constitution which at any time exists, 'till changed by an explicit and authentic act of the whole People, is sacredly obligatory upon all. The very idea of the power and the right of the People to establish Government presupposes the duty of every Individual to obey the established Government.

All obstructions to the execution of the Laws, all combinations and Associations, under whatever plausible character, with the real design to direct, controul counteract, or awe the regular deliberation and action of the Constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force; to put in the place of the delegated will of the Nation, the will of a party; often a small but artful and enterprizing minority of the Community; and, according to the alternate triumphs of different parties, to make the public administration the Mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modefied by mutual interests. However combinations or Associations of the above description may now and then answer popular ends, they are likely in the course of time and things, to become potent engines, by which cunning, ambitious and unprincipled men will be enabled to subvert the Power of the People, and to usurp for themselves the reins of Government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your Government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however

specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of Governments, as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing Constitution of a country; that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change, from the endless variety of hypotheses and opinion: and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a Government of as much vigour as is consistent with the perfect security of Liberty is indispensable. Liberty itself will find in such a Government, with powers properly distributed and adjusted, its surest Guardian. It is indeed little else than a name, where the Government is too feeble to withstand the enterprises of faction, to confine each member of the Society within the limits prescribed by the laws and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of Parties in the State, with particular reference to the founding of them on Geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn

manner against the baneful effects of the Spirit of Party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human Mind. It exists under different shapes in all Governments, more or less stifled, controuled, or repressed; but, in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries, which result, gradually incline the minds of men to seek security and repose in the absolute power of an Individual: and sooner or later the chief of some prevailing faction more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of Public Liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of Party are sufficient to make it the interest and duty of a wise People to discourage and restrain it.

It serves always to distract the Public Councils and enfeeble the Public administration. It agitates the Community with ill-founded jealousies and false alarms, kindles the animosity of one part against another; foments occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country, are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the Administration of the Government and serve to keep alive the spirit of Liberty. This within certain limits is probably true, and in Governments of a Monarchical cast Patriotism may look with indulgence, if not with favour, upon the spirit of party. But in those of the popular character, in Governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched; it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free Country should inspire caution in those entrusted with its administration, to confine themselves within their respective Constitutional spheres; avoiding in the exercise of the

Powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power; by dividing and distributing it into different depositories, and constituting each the Guardian of the Public Weal against invasions by the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the People the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, Religion and morality are indispensable supports. In vain would that man claim the tribute of Patriotism who should labour to subvert these great Pillars of human happiness, these firmest props of the duties of Men and

citizens. The mere Politician, equally with the pious man ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in Courts of Justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that National morality can prevail in exclusion of religious principle. 'Tis substantially true, that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free Government. Who that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric.

Promote then as an object of primary importance, Institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible: avoiding occasions of expence by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent

much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expence, but by vigorous exertions in time of Peace to discharge the Debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burthen which we ourselves ought to bear. The execution of these maxims belongs to your Representatives; but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty it is essential that you should practically bear in mind, that towards the payment of debts there must be Revenue; that to have Revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseperable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the Conduct of the Government in making it, and for a spirit of acquiescence in the measures for obtaining Revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all Nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great Nation, to give to mankind the magnanimous and too novel example of a People always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such

a plan would richly repay any temporary advantages wch. might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a Nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human Nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular Nations and passionate attachments for others should be excluded; and that in place of them just and amicable feelings towards all should be cultivated. The Nation, which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one Nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate envenomed, and bloody contests. The Nation, prompted by ill will and resentment sometimes impels to War the Government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the Nation subservient to projects of hostility instigated by pride, ambition and other sinister and pernicious motives. The

peace often, sometimes perhaps the Liberty, of Nations has been the victim.

So, likewise, a passionate attachment of one Nation for another produces a variety of evils. Sympathy for the favourite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and Wars of the latter without adequate inducement or justification: It leads also to concessions to the favourite Nation of privileges denied to others, which is apt doubly to injure the Nation making the concessions; by unnecessarily parting with what ought to have been retained; and by exciting jealousy, ill will, and a disposition to retaliate, in the parties from whom eqd. privileges are withheld: And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favourite Nation) facility to betray, or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition corruption or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent Patriot. How many opportunities do they afford to tamper with domestic

factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public Councils! Such an attachment of a small or weak, towards a great and powerful Nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me fellow citizens) the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of Republican Government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real Patriots, who may resist the intrigues of the favourite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The Great rule of conduct for us, in regard to foreign Nations is in extending our commercial relations to have with them as little political connection as possible. So far as we have already formed engagements let them be fulfilled, with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially

foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships, or enmities:

Our detached and distant situation invites and enables us to pursue a different course. If we remain one People, under an efficient government, the period is not far off, when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest guided by justice shall Counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European Ambition, Rivalship, Interest, Humour or Caprice?

'Tis our true policy to steer clear of permanent Alliances, with any portion of the foreign world. So far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronising infidelity to existing engagements (I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy). I repeat it therefore, let those engagements be observed in their genuine

sense. But in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all Nations, are recommended by policy, humanity, and interest. But even our Commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favours or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of Commerce, but forcing nothing; establishing with Powers so disposed; in order to give trade a stable course, to define the rights of our Merchants, and to enable the Government to support them; conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that 'tis folly in one Nation to look for disinterested favors from another; that it must pay with a portion of its Independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favours and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favours from

Nation to Nation. 'Tis an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my Countrymen these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression, I could wish; that they will controul the usual current of the passions, or prevent our Nation from running the course which has hitherto marked the Destiny of Nations: But if I may even flatter myself, that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign Intrigue, to guard against the Impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated.

How far in the discharge of my Official duties, I have been guided by the principles which have been delineated, the public Records and other evidences of my conduct must Witness to You and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting War in Europe, my Proclamation of the 22d. of April 1793 is the index to my Plan. Sanctioned by your approving voice and by that of Your Representatives in both Houses of Congress, the spirit of that measure has continually governed me; uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain I was well satisfied that our Country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a Neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance and firmness.

The considerations, which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe, that according to my understanding of the matter, that right, so far from being denied by any of the Belligerent Powers has been virtually admitted by all.

The duty of holding a Neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of Peace and amity toward other Nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavour to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption, to that degree of strength and consistency, which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my Administration, I am unconscious of intentional error, I am nevertheless too

sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my Country will never cease to view them with indulgence; and that after forty-five years of my life dedicated to its Service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the Mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love toward it, which is so natural to a Man, who views in it the native soil of himself and his progenitors for several Generations; I anticipate with pleasing expectation that retreat, in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow Citizens, the benign influence of good Laws under a free Government, the ever favourite object of my heart, and the happy reward, as I trust, of our mutual cares, labours, and dangers.

SECTION 4

State of the Union Address

By THOMAS JEFFERSON

December 08, 1801

Fellow Citizens of the Senate and House of Representatives:

It is a circumstance of sincere gratification to me that on meeting the great council of our nation I am able to announce to them on grounds of reasonable certainty that the wars and troubles which have for so many years afflicted our sister nations have at length come to an end, and that the communications of peace and commerce are once more opening among them. Whilst we devoutly return thanks to the beneficent Being who has been pleased to breathe into them the spirit of conciliation and forgiveness, we are bound with peculiar gratitude to be thankful to Him that our own peace has been preserved through so perilous a season, and ourselves permitted quietly to cultivate the earth and to practice and improve those arts which tend to increase our comforts. The assurances, indeed, of friendly disposition received from all the powers with whom we have principle

relations had inspired a confidence that our peace with them would not have been disturbed. But a cessation of irregularities which had affected the commerce of neutral nations and of the irritations and injuries produced by them can not but add to this confidence, and strengthens at the same time the hope that wrongs committed on unoffending friends under a pressure of circumstances will now be reviewed with candor, and will be considered as founding just claims of retribution for the past and new assurance for the future.

Among our Indian neighbors also a spirit of peace and friendship generally prevails, and I am happy to inform you that the continued efforts to introduce among them the implements and the practice of husbandry and the household arts have not been without success; that they are becoming more and more sensible of the superiority of this dependence for clothing and subsistence over the precarious resources of hunting and fishing, and already we are able to announce that instead of that constant diminution of their numbers produced by their wars and their wants, some of them begin to experience an increase of population.

To this state of general peace with which we have been blessed, one only exception exists. Tripoli, the least considerable of the Barbary States, had come forward with demands unfounded either in right or in compact, and had permitted itself to denounce war on our failure to comply

before a given day. The style of the demand admitted but one answer.

I sent a small squadron of frigates into the Mediterranean, with assurances to that power of our sincere desire to remain in peace, but with orders to protect our commerce against the threatened attack. The measure was seasonable and salutary. The Bey had already declared war. His cruisers were out. Two had arrived at Gibraltar. Our commerce in the Mediterranean was blockaded and that of the Atlantic in peril.

The arrival of our squadron dispelled the danger. One of the Tripolitan cruisers having fallen in with and engaged the small schooner Enterprise, commanded by Lieutenant Sterret, which had gone as a tender to our larger vessels, was captured, after a heavy slaughter of her men, without the loss of a single one on our part. The bravery exhibited by our citizens on that element will, I trust, be a testimony to the world that it is not the want of that virtue which makes us seek their peace, but a conscientious desire to direct the energies of our nation to the multiplication of the human race, and not to its destruction. Unauthorized by the Constitution, without the sanction of Congress, to go beyond the line of defense, the vessel, being disabled from committing further hostilities, was liberated with its crew.

The Legislature will doubtless consider whether, by authorizing measures of offense also, they will place our force on an equal footing with that of its adversaries. I

communicate all material information on this subject, that in the exercise of this important function confided by the Constitution to the Legislature exclusively their judgment may form itself on a knowledge and consideration of every circumstance of weight.

I wish I could say that our situation with all the other Barbary States was entirely satisfactory. Discovering that some delays had taken place in the performance of certain articles stipulated by us, I thought it my duty, by immediate measures for fulfilling them, to vindicate to ourselves the right of considering the effect of departure from stipulation on their side. From the papers which will be laid before you you will be enabled to judge whether our treaties are regarded by them as fixing at all the measure of their demands or as guarding from the exercise of force our vessels within their power, and to consider how far it will be safe and expedient to leave our affairs with them in their present posture.

I lay before you the result of the census lately taken of our inhabitants, to a conformity with which we are now to reduce the ensuing ration of representation and taxation. You will perceive that the increase of numbers during the last 10 years, proceeding in geometric ratio, promises a duplication in little more than 22 years. We contemplate this rapid growth and the prospect it holds up to us, not with a view to the injuries it may enable us to do others in some future day, but to the settlement of the extensive country still remaining

vacant within our limits to the multiplication of men susceptible of happiness, educated in the love of order, habituated to self—government, and valuing its blessings above all price.

Other circumstances, combined with the increase of numbers, have produced an augmentation of revenue arising from consumption in a ratio far beyond that of population alone; and though the changes in foreign relations now taking place so desirably for the whole world may for a season affect this branch of revenue, yet weighing all probabilities of expense as well as of income, there is reasonable ground of confidence that we may now safely dispense with all the internal taxes, comprehending excise, stamps, auctions, licenses, carriages, and refined sugars, to which the postage on news papers may be added to facilitate the progress of information, and that the remaining sources of revenue will be sufficient to provide for the support of Government, to pay the interest of the public debts, and to discharge the principals within shorter periods than the laws or the general expectation had contemplated.

War, indeed, and untoward events may change this prospect of things and call for expenses which imposts could not meet; but sound principles will not justify our taxing the industry of our fellow citizens to accumulate treasure for wars to happen we know not when, and which might not, perhaps, happen but from the temptations offered by that treasure.

These views, however, of reducing our burthens are formed on the expectation that a sensible and at the same time a salutary reduction may take place in our habitual expenditures. For this purpose those of the civil Government, the Army, and Navy will need revisal.

When we consider that this Government is charged with the external and mutual relations only of these States; that the States themselves have principal care of our persons, our property, and our reputation, constituting the great field of human concerns, we may well doubt whether our organization is not too complicated, too expensive; whether offices and officers have not been multiplied unnecessarily and sometimes injuriously to the service they were meant to promote.

I will cause to be laid before you an essay toward a statement of those who, under public employment of various kinds, draw money from the Treasury or from our citizens. Time has not permitted a perfect enumeration, the ramifications of office being too multiplied and remote to be completely traced in a first trial.

Among those who are dependent on Executive discretion I have begun the reduction of what was deemed unnecessary. The expenses of diplomatic agency have been considerably diminished. The inspectors of internal revenue who were found to obstruct the accountability of the institution have been discontinued. Several agencies created by Executive authorities, on salaries fixed by that also, have been

suppressed, and should suggest the expediency of regulating that power by law, so as to subject its exercises to legislative inspection and sanction.

Other reformations of the same kind will be pursued with that caution which is requisite in removing useless things, not to injure what is retained. But the great mass of public offices is established by law, and therefore by law alone can be abolished. Should the Legislature think it expedient to pass this roll in review and try all its parts by the test of public utility, they may be assured of every aid and light which Executive information can yield.

Considering the general tendency to multiply offices and dependencies and to increase expense to the ultimate term of burthen which the citizen can bear, it behooves us to avail ourselves of every occasion which presents itself for taking off the surcharge, that it never may be seen here that after leaving to labor the smallest portion of its earnings on which it can subsist, Government shall itself consume the whole residue of what it was instituted to guard.

In our care, too, of the public contributions intrusted to our direction it would be prudent to multiply barriers against their dissipation by appropriating specific sums to every specific purpose susceptible of definition; by disallowing all applications of money varying from the appropriation in object or transcending it in amount; by reducing the undefined field of contingencies and thereby circumscribing discretionary powers over money, and by bringing back to a

single department all accountabilities for money, where the examinations may be prompt, efficacious, and uniform.

An account of the receipts and expenditures of the last year, as prepared by the Secretary of the Treasury, will, as usual, be laid before you. The success which has attended the late sales of the public lands shews that with attention they may be made an important source of receipt. Among the payments those made in discharge of the principal and interest of the national debt will shew that the public faith has been exactly maintained. To these will be added an estimate of appropriations necessary for the ensuing year. This last will, of course, be affected by such modifications of the system of expense as you shall think proper to adopt.

A statement has been formed by the Secretary of War, on mature consideration, of all the posts and stations where garrisons will be expedient and of the number of men requisite for each garrison. The whole amount is considerably short of the present military establishment. For the surplus no particular use can be pointed out.

For defense against invasion their number is as nothing, nor is it conceived needful or safe that a standing army should be kept up in time of peace for that purpose. Uncertain as we must ever be of the particular point in our circumference where an enemy may choose to invade us, the only force which can be ready at every point and competent to oppose them is the body of the neighboring citizens as formed into a militia. On these, collected from the parts most convenient in

numbers proportioned to the invading force, it is best to rely not only to meet the first attack, but if it threatens to be permanent to maintain the defense until regulars may be engaged to relieve them. These considerations render it important that we should at every session continue to amend the defects which from time to time shew themselves in the laws for regulating the militia until they are sufficiently perfect. Nor should we now or at any time separate until we say we have done everything for the militia which we could do were an enemy at our door.

The provision of military stores on hand will be laid before you, that you may judge of the additions still requisite.

With respect to the extent to which our naval preparations should be expected to appear, but just attention to the circumstances of every part of the Union will doubtless reconcile all. A small force will probably continue to be wanted for actual service in the Mediterranean. Whatever annual sum beyond that you may think proper to appropriate to naval preparations would perhaps be better employed in providing those articles which may be kept without waste or consumption, and be in readiness when any exigence calls them into use. Progress has been made, as will appear by papers now communicated, in providing materials for 74—gun ships as directed by law.

How far the authority given by the Legislature for procuring and establishing sites for naval purposes has been perfectly

understood and pursued in the execution admits of some doubt. A statement of the expenses already incurred on that subject is now laid before you. I have in certain cases suspended or slackened these expenditures, that the Legislature might determine whether so many yards are necessary as have been contemplated.

The works at this place are among those permitted to go on, and 5 of the 7 frigates directed to be laid up have been brought and laid up here, where, besides the safety of their position, they are under the eye of the Executive Administration, as well as of its agents, and where yourselves also will be guided by your own view in the legislative provisions respecting them which may from time to time be necessary. They are preserved in such condition, as well the vessels as whatever belongs to them, as to be at all times ready for sea on a short warning. Two others are yet to be laid up so soon as they shall have received the repairs requisite to put them also into sound condition. As a superintending officer will be necessary at each yard, his duties and emoluments, hitherto fixed by the Executive, will be a more proper subject for legislation. A communication will also be made of our progress in the execution of the law respecting the vessels directed to be sold.

The fortifications of our harbors, more or less advanced, present considerations of great difficulty. While some of them are on a scale sufficiently proportioned to the advantages of their position, to the efficacy of their protection, and the

importance of the points within it, others are so extensive, will cost so much in their first erection, so much in their maintenance, and require such a force to garrison them as to make it questionable what is best now to be done. A statement of those commenced or projected, of the expenses already incurred, and estimates of their future cost, as far as can be foreseen, shall be laid before you, that you may be enabled to judge whether any alteration is necessary in the laws respecting this subject.

Agriculture, manufactures, commerce, and navigation, the four pillars of our prosperity, are then most thriving when left most free to individual enterprise. Protection from casual embarrassments, however, may sometimes be seasonably interposed. If in the course of your observations or inquiries they should appear to need any aid within the limits of our constitutional powers, your sense of their importance is a sufficient assurance they will occupy your attention. We can not, indeed, but all feel an anxious solicitude for the difficulties under which our carrying trade will soon be placed. How far it can be relieved, otherwise than by time, is a subject of important consideration.

The judiciary system of the United States, and especially that portion of it recently erected, will of course present itself to the contemplation of Congress, and, that they may be able to judge of the proportion which the institution bears on the business it has to perform, I have caused to be procured from the several States and now lay before Congress an exact

statement of all the causes decided since the first establishment of the courts, and of those which were depending when additional courts and judges were brought in to their aid.

And while on the judiciary organization it will be worthy your consideration whether the protection of the inestimable institution of juries has been extended to all the cases involving the security of our persons and property. Their impartial selection also being essential to their value, we ought further to consider whether that is sufficiently secured in those States where they are named by a marshal depending on Executive will or designated by the court or by officers dependent on them.

I can not omit recommending a revision of the laws on the subject of naturalization. Considering the ordinary chances of human life, a denial of citizenship under a residence of 14 years is a denial to a great proportion of those who ask it, and controls a policy pursued from their first settlement by many of these States, and still believed of consequence to their prosperity; and shall we refuse to the unhappy fugitives from distress that hospitality which the savages of the wilderness extended to our fathers arriving in this land? Shall oppressed humanity find no asylum on this globe? The Constitution indeed has wisely provided that for admission to certain offices of important trust a residence shall be required sufficient to develop character and design. But might not the general character and capabilities of a citizen be safely

communicated to everyone manifesting a bona fide purpose of embarking his life and fortunes permanently with us, with restrictions, perhaps, to guard against the fraudulent usurpation of our flag, an abuse which brings so much embarrassment and loss on the genuine citizen and so much danger to the nation of being involved in war that no endeavor should be spared to detect and suppress it?

These, fellow citizens, are the matters respecting the state of the nation which I have thought of importance to be submitted to your consideration at this time. Some others of less moment or not yet ready for communication will be the subject of separate messages. I am happy in this opportunity of committing the arduous affairs of our Government to the collected wisdom of the Union. Nothing shall be wanting on my part to inform as far as in my power the legislative judgment, nor to carry that judgment into faithful execution.

The prudence and temperance of your discussions will promote within your own walls that conciliation which so much befriends rational conclusion, and by its example will encourage among our constituents that progress of opinion which is tending to unite them in object and in will. That all should be satisfied with any one order of things is not to be expected; but I indulge the pleasing persuasion that the great body of our citizens will cordially concur in honest and disinterested efforts which have for their object to preserve the General and State Governments in their constitutional form and equilibrium; to maintain peace abroad, and order

and obedience to the laws at home; to establish principles and practices of administration favorable to the security of liberty and property, and to reduce expenses to what is necessary for the useful purposes of Government.

SECTION 5

Address Before the Young Men's Lyceum

By ABRAHAM LINCOLN

Speech given at the Young Men's Lyceum of Springfield, Illinois

January 27, 1838

As a subject for the remarks of the evening, "The perpetuation of our political institutions" is selected.

In the great journal of things happening under the sun, we, the American people, find our account running under date of the nineteenth century of the Christian era. We find ourselves in the peaceful possession of the fairest portion of the earth as regards extent of territory, fertility of soil, and salubrity of climate. We find ourselves under the government of a system of political institutions conduced more essentially to the ends of civil and religious liberty than any of which the history of former times tells us. We, when mounting the stage of existence, found ourselves the legal inheritors of these fundamental blessings. We toiled not in the acquirement or establishment of them; they are a legacy

bequeathed us by a once hardy, brave, and patriotic, but now lamented and departed, race of ancestors. Theirs was the task (and nobly they performed it) to possess themselves, and through themselves us, of this goodly land, and to uprear upon its hills and its valleys a political edifice of liberty and equal rights; 'tis ours only to transmit these — the former unprofaned by the foot of an invader, the latter undecayed by the lapse of time and untorn by usurpation — to the latest generation that fate shall permit the world to know. This task of gratitude to our fathers, justice to ourselves, duty to posterity, and love for our species in general, all imperatively require us faithfully to perform.

How then shall we perform it? At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the ocean and crush us at a blow? Never! All the armies of Europe, Asia, and Africa combined, with all the treasure of the earth (our own excepted) in their military chest, with a Bonaparte for a commander, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years.

At what point, then, is the approach of danger to be expected? I answer, If it ever reach us it must spring up amongst us; it cannot come from abroad. If destruction be our lot we must ourselves be its author and finisher. As a nation of freemen we must live through all time, or die by suicide.

I hope I am over wary; but if I am not, there is even now something of ill omen amongst us. I mean the increasing disregard for law which pervades the country — the growing disposition to substitute the wild and furious passions in lieu of the sober judgment of courts, and the worse than savage mobs for the executive ministers of justice. This disposition is awfully fearful in any community; and that it now exists in ours, though grating to our feelings to admit, it would be a violation of truth and an insult to our intelligence to deny. Accounts of outrages committed by mobs form the every-day news of the times. They have pervaded the country from New England to Louisiana; they are neither peculiar to the eternal snows of the former nor the burning suns of the latter; they are not the creature of climate, neither are they confined to the slaveholding or the non-slaveholding States. Alike they spring up among the pleasure-hunting masters of Southern slaves, and the order-loving citizens of the land of steady habits. Whatever then their cause may be, it is common to the whole country.

It would be tedious as well as useless to recount the horrors of all of them. Those happening in the State of Mississippi and at St. Louis are perhaps the most dangerous in example and revolting to humanity. In the Mississippi case they first commenced by hanging the regular gamblers — a set of men certainly not following for a livelihood a very useful or very honest occupation, but one which, so far from being forbidden by the laws, was actually licensed by an act of the

Legislature passed but a single year before. Next, negroes suspected of conspiring to raise an insurrection were caught up and hanged in all parts of the State; then, white men supposed to be leagued with the negroes; and finally, strangers from neighboring States, going thither on business, were in many instances subjected to the same fate. Thus went on this process of hanging, from gamblers to negroes, from negroes to white citizens, and from these to strangers, till dead men were seen literally dangling from the boughs of trees upon every roadside, and in numbers almost sufficient to rival the native Spanish moss of the country as a drapery of the forest.

Turn, then, to that horror-striking scene at St. Louis. A single victim only was sacrificed there. This story is very short, and is perhaps the most highly tragic of anything of its length that has ever been witnessed in real life. A mulatto man by the name of McIntosh was seized in the street, dragged to the suburbs of the city, chained to a tree, and actually burned to death; and all within a single hour from the time he had been a freeman attending to his own business and at peace with the world.

Such are the effects of mob law, and such are the scenes becoming more and more frequent in this land so lately famed for love of law and order, and the stories of which have even now grown too familiar to attract anything more than an idle remark.

But you are perhaps ready to ask, "What has this to do with the perpetuation of our political institutions?" I answer, "It has much to do with it." Its direct consequences are, comparatively speaking, but a small evil, and much of its danger consists in the proneness of our minds to regard its direct as its only consequences. Abstractly considered, the hanging of the gamblers at Vicksburg was of but little consequence. They constitute a portion of population that is worse than useless in any community; and their death, if no pernicious example be set by it, is never matter of reasonable regret with any one. If they were annually swept from the stage of existence by the plague or smallpox, honest men would perhaps be much profited by the operation. Similar, too, is the correct reasoning in regard to the burning of the negro at St. Louis. He had forfeited his life by the perpetration of an outrageous murder upon one of the most worthy and respectable citizens of the city, and had he not died as he did, he must have died by the sentence of the law in a very short time afterward. As to him alone, it was as well the way it was as it could otherwise have been. But the example in either case was fearful. When men take it in their heads to-day to hang gamblers or burn murderers, they should recollect that in the confusion usually attending such transactions they will be as likely to hang or burn some one who is neither a gambler nor a murderer as one who is, and that, acting upon the example they set, the mob of to-morrow may, and probably will, hang or burn some of them by the very same mistake. And not only so; the innocent, those who

have ever set their faces against violations of law in every shape, alike with the guilty fall victims to the ravages of mob law; and thus it goes up, step by step, till all the walls erected for the defense of the persons and property of individuals are trodden down and disregarded. But all this, even, is not the full extent of the evil. By such examples, by instances of the perpetrators of such acts going unpunished, the lawless in spirit are encouraged to become lawless in practice; and having been used to no restraint but dread of punishment, they thus become absolutely unrestrained. Having ever regarded government as their deadliest bane, they make a jubilee of the suspension of its operations, and pray for nothing so much as its total annihilation. While, on the other hand, good men, men who love tranquillity, who desire to abide by the laws and enjoy their benefits, who would gladly spill their blood in the defense of their country, seeing their property destroyed, their families insulted, and their lives endangered, their persons injured, and seeing nothing in prospect that forebodes a change for the better, become tired of and disgusted with a government that offers them no protection, and are not much averse to a change in which they imagine they have nothing to lose. Thus, then, by the operation of this mobocratic spirit which all must admit is now abroad in the land, the strongest bulwark of any government, and particularly of those constituted like ours, may effectually be broken down and destroyed — I mean the attachment of the people. Whenever this effect shall be produced among us; whenever the vicious portion of

population shall be permitted to gather in bands of hundreds and thousands, and burn churches, ravage and rob provision-stores, throw printing-presses into rivers, shoot editors, and hang and burn obnoxious persons at pleasure and with impunity, depend on it, this government cannot last. By such things the feelings of the best citizens will become more or less alienated from it, and thus it will be left without friends, or with too few, and those few too weak to make their friendship effectual. At such a time, and under such circumstances, men of sufficient talent and ambition will not be wanting to seize the opportunity, strike the blow, and overturn that fair fabric which for the last half century has been the fondest hope of the lovers of freedom throughout the world.

I know the American people are much attached to their government; I know they would suffer much for its sake; I know they would endure evils long and patiently before they would ever think of exchanging it for another — yet, notwithstanding all this, if the laws be continually despised and disregarded, if their rights to be secure in their persons and property are held by no better tenure than the caprice of a mob, the alienation of their affections from the government is the natural consequence; and to that, sooner or later, it must come.

Here, then, is one point at which danger may be expected. The question recurs, "How shall we fortify against it?" The answer is simple. Let every American, every lover of liberty,

every well-wisher to his posterity swear by the blood of the Revolution never to violate in the least particular the laws of the country, and never to tolerate their violation by others. As the patriots of seventy-six did to the support of the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, his property, and his sacred honor — let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling-books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars.

While ever a state of feeling such as this shall universally or even very generally prevail throughout the nation, vain will be every effort, and fruitless every attempt, to subvert our national freedom.

When I so pressingly urge a strict observance of all the laws, let me not be understood as saying there are no bad laws, or that grievances may not arise for the redress of which no legal provisions have been made. I mean to say no such

thing. But I do mean to say that although bad laws, if they exist, should be repealed as soon as possible, still, while they continue in force, for the sake of example they should be religiously observed. So also in unprovided cases. If such arise, let proper legal provisions be made for them with the least possible delay, but till then let them, if not too intolerable, be borne with.

There is no grievance that is a fit object of redress by mob law. In any case that may arise, as, for instance, the promulgation of abolitionism, one of two positions is necessarily true — that is, the thing is right within itself, and therefore deserves the protection of all law and all good citizens, or it is wrong, and therefore proper to be prohibited by legal enactments; and in neither case is the interposition of mob law either necessary, justifiable, or excusable.

But it may be asked, "Why suppose danger to our political institutions? Have we not preserved them for more than fifty years? And why may we not for fifty times as long?"

We hope there is no sufficient reason. We hope all danger may be overcome; but to conclude that no danger may ever arise would itself be extremely dangerous. There are now, and will hereafter be, many causes, dangerous in their tendency, which have not existed heretofore, and which are not too insignificant to merit attention. That our government should have been maintained in its original form, from its establishment until now, is not much to be wondered at. It had many props to support it through that period, which

now are decayed and crumbled away. Through that period it was felt by all to be an undecided experiment; now it is understood to be a successful one. Then, all that sought celebrity and fame and distinction expected to find them in the success of that experiment. Their all was staked upon it; their destiny was inseparably linked with it. Their ambition aspired to display before an admiring world a practical demonstration of the truth of a proposition which had hitherto been considered at best no better than problematical — namely, the capability of a people to govern themselves. If they succeeded they were to be immortalized; their names were to be transferred to counties, and cities, and rivers, and mountains; and to be revered and sung, toasted through all time. If they failed, they were to be called knaves, and fools, and fanatics for a fleeting hour; then to sink and be forgotten. They succeeded. The experiment is successful, and thousands have won their deathless names in making it so. But the game is caught; and I believe it is true that with the catching end the pleasures of the chase. This field of glory is harvested, and the crop is already appropriated. But new reapers will arise, and they too will seek a field. It is to deny what the history of the world tells us is true, to suppose that men of ambition and talents will not continue to spring up amongst us. And when they do, they will as naturally seek the gratification of their ruling passion as others have done before them. The question then is, Can that gratification be found in supporting and maintaining an edifice that has been erected by others? Most certainly it cannot. Many great and

good men, sufficiently qualified for any task they should undertake, may ever be found whose ambition would aspire to nothing beyond a seat in Congress, a gubernatorial or a presidential chair; but such belong not to the family of the lion, or the tribe of the eagle. What! think you these places would satisfy an Alexander, a Caesar, or a Napoleon? Never! Towering genius despairs a beaten path. It seeks regions hitherto unexplored. It sees no distinction in adding story to story upon the monuments of fame erected to the memory of others. It denies that it is glory enough to serve under any chief. It scorns to tread in the footsteps of any predecessor, however illustrious. It thirsts and burns for distinction; and if possible, it will have it, whether at the expense of emancipating slaves or enslaving freemen. Is it unreasonable, then, to expect that some man possessed of the loftiest genius, coupled with ambition sufficient to push it to its utmost stretch, will at some time spring up among us? And when such an one does, it will require the people to be united with each other, attached to the government and laws, and generally intelligent, to successfully frustrate his designs.

Distinction will be his paramount object, and although he would as willingly, perhaps more so, acquire it by doing good as harm, yet, that opportunity being past, and nothing left to be done in the way of building up, he would set boldly to the task of pulling down.

Here then is a probable case, highly dangerous, and such an one as could not have well existed heretofore.

Another reason which once was, but which, to the same extent, is now no more, has done much in maintaining our institutions thus far. I mean the powerful influence which the interesting scenes of the Revolution had upon the passions of the people as distinguished from their judgment. By this influence, the jealousy, envy, and avarice incident to our nature, and so common to a state of peace, prosperity, and conscious strength, were for the time in a great measure smothered and rendered inactive, while the deep-rooted principles of hate, and the powerful motive of revenge, instead of being turned against each other, were directed exclusively against the British nation. And thus, from the force of circumstances, the basest principles of our nature were either made to lie dormant, or to become the active agents in the advancement of the noblest of causes — that of establishing and maintaining civil and religious liberty.

But this state of feeling must fade, is fading, had faded, with the circumstances that produced it.

I do not mean to say that the scenes of the Revolution are now or ever will be entirely forgotten, but that, like everything else, they must fade upon the memory of the world, and grow more and more dim by the lapse of time. In history, we hope, they will be read of, and recounted, so long as the Bible shall be read; but even granting that they will, their influence cannot be what it heretofore has been. Even then they cannot be so universally known nor so vividly felt as they were by the generation just gone to rest. At the close

of that struggle, nearly every adult male had been a participant in some of its scenes. The consequence was that of those scenes, in the form of a husband, a father, a son, or a brother, a living history was to be found in every family — a history bearing the indubitable testimonies of its own authenticity, in the limbs mangled, in the scars of wounds received, in the midst of the very scenes related — a history, too, that could be read and understood alike by all, the wise and the ignorant, the learned and the unlearned. But those histories are gone. They can be read no more forever. They were a fortress of strength; but what invading foeman could never do, the silent artillery of time has done — the leveling of its walls. They are gone. They were a forest of giant oaks; but the all-resistless hurricane has swept over them, and left only here and there a lonely trunk, despoiled of its verdure, shorn of its foliage, unshading and unshaded, to murmur in a few more gentle breezes, and to combat with its mutilated limbs a few more ruder storms, then to sink and be no more.

They were pillars of the temple of liberty; and now that they have crumbled away that temple must fall unless we, their descendants, supply their places with other pillars, hewn from the solid quarry of sober reason. Passion has helped us, but can do so no more. It will in future be our enemy. Reason — cold, calculating, unimpassioned reason — must furnish all the materials for our future support and defense. Let those materials be molded into general intelligence, sound morality, and, in particular, a reverence for the Constitution

and laws; and that we improved to the last, that we remained free to the last, that we revered his name to the last, that during his long sleep we permitted no hostile foot to pass over or desecrate his resting-place, shall be that which to learn the last trump shall awaken our Washington.

Upon these let the proud fabric of freedom rest, as the rock of its basis; and as truly as has been said of the only greater institution, "the gates of hell shall not prevail against it."

UNIT 3

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# AMERICAN CHARACTER AND VIRTUE

Who or what is an American? Does America have a democratic character?



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## SECTION 1

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# American Character and Virtue

# The Autobiography of Benjamin Franklin

## Part II

Letter from Mr. Abel James, with Notes of my Life (received in Paris).



"MY DEAR AND HONORED FRIEND: I have often been desirous of writing to thee, but could not be reconciled to the thought that the letter might fall into the hands of the British, lest some printer or busy-body should publish some part of the contents, and give our

friend pain, and myself censure.

"Some time since there fell into my hands, to my great joy, about twenty-three sheets in thy own handwriting, containing an account of the parentage and life of thyself, directed to thy son, ending in the year 1730, with which there were notes, likewise in thy writing; a copy of which I inclose, in hopes it may be a means, if thou continued it up to a later period, that the first and latter part may be put together; and if it is not yet continued, I hope thee will not delay it. Life is uncertain, as the preacher tells us; and what will the world say if kind, humane, and benevolent Ben. Franklin should leave his friends and the world deprived of so pleasing and profitable a work; a work which would be useful and entertaining not only to a few, but to millions? The influence writings under that class have on the minds of youth is very great, and has nowhere appeared to me so plain, as in our public friend's journals. It almost insensibly leads the youth into the resolution of endeavoring to become as good and eminent as the journalist. Should thine, for instance, when published (and I think it could not fail of it), lead the youth to equal the industry and temperance of thy early youth, what a blessing with that class would such a work be! I know of no character living, nor many of them put together, who has so much in his power as thyself to promote a greater spirit of industry and early attention to business, frugality, and temperance with the American youth. Not that I think the work would have no other merit and use

in the world, far from it; but the first is of such vast importance that I know nothing that can equal it."

The foregoing letter and the minutes accompanying it being shown to a friend, I received from him the following:

**Letter from Mr. Benjamin Vaughan.**

"PARIS, January 31, 1783.

"My DEAREST SIR: When I had read over your sheets of minutes of the principal incidents of your life, recovered for you by your Quaker acquaintance, I told you I would send you a letter expressing my reasons why I thought it would be useful to complete and publish it as he desired. Various concerns have for some time past prevented this letter being written, and I do not know whether it was worth any expectation; happening to be at leisure, however, at present, I shall by writing, at least interest and instruct myself; but as the terms I am inclined to use may tend to offend a person of your manners, I shall only tell you how I would address any other person, who was as good and as great as yourself, but less diffident. I would say to him, Sir, I solicit the history of your life from the following motives: Your history is so remarkable, that if you do not give it, somebody else will certainly give it; and perhaps so as nearly to do as much harm, as your own management of the thing might do good. It will moreover present a table of the internal circumstances of your country, which will very much tend to invite to it

settlers of virtuous and manly minds. And considering the eagerness with which such information is sought by them, and the extent of your reputation, I do not know of a more efficacious advertisement than your biography would give. All that has happened to you is also connected with the detail of the manners and situation of a rising people; and in this respect I do not think that the writings of Caesar and Tacitus can be more interesting to a true judge of human nature and society. But these, sir, are small reasons, in my opinion, compared with the chance which your life will give for the forming of future great men; and in conjunction with your Art of Virtue (which you design to publish) of improving the features of private character, and consequently of aiding all happiness, both public and domestic. The two works I allude to, sir, will in particular give a noble rule and example of self-education. School and other education constantly proceed upon false principles, and show a clumsy apparatus pointed at a false mark; but your apparatus is simple, and the mark a true one; and while parents and young persons are left destitute of other just means of estimating and becoming prepared for a reasonable course in life, your discovery that the thing is in many a man's private power, will be invaluable! Influence upon the private character, late in life, is not only an influence late in life, but a weak influence. It is in youth that we plant our chief habits and prejudices; it is in youth that we take our party as to profession, pursuits and matrimony. In youth, therefore, the turn is given; in youth the education even of the next generation is given; in youth

the private and public character is determined; and the term of life extending but from youth to age, life ought to begin well from youth, and more especially before we take our party as to our principal objects. But your biography will not merely teach self-education, but the education of a wise man; and the wisest man will receive lights and improve his progress, by seeing detailed the conduct of another wise man.

And why are weaker men to be deprived of such helps, when we see our race has been blundering on in the dark, almost without a guide in this particular, from the farthest trace of time? Show then, sir, how much is to be done, both to sons and fathers; and invite all wise men to become like yourself, and other men to become wise. When we see how cruel statesmen and warriors can be to the human race, and how absurd distinguished men can be to their acquaintance, it will be instructive to observe the instances multiply of pacific, acquiescing manners; and to find how compatible it is to be great and domestic, enviable and yet good-humored.

"The little private incidents which you will also have to relate, will have considerable use, as we want, above all things, rules of prudence in ordinary affairs; and it will be curious to see how you have acted in these. It will be so far a sort of key to life, and explain many things that all men ought to have once explained to them, to give, them a chance of becoming wise by foresight. The nearest thing to having experience of one's own, is to have other people's affairs brought before us in a shape that is interesting; this is sure to

happen from your pen; our affairs and management will have an air of simplicity or importance that will not fail to strike; and I am convinced you have conducted them with as much originality as if you had been conducting discussions in politics or philosophy; and what more worthy of experiments and system (its importance and its errors considered) than human life?

"Some men have been virtuous blindly, others have speculated fantastically, and others have been shrewd to bad purposes; but you, sir, I am sure, will give under your hand, nothing but what is at the same moment, wise, practical and good, your account of yourself (for I suppose the parallel I am drawing for Dr. Franklin, will hold not only in point of character, but of private history) will show that you are ashamed of no origin; a thing the more important, as you prove how little necessary all origin is to happiness, virtue, or greatness. As no end likewise happens without a means, so we shall find, sir, that even you yourself framed a plan by which you became considerable; but at the same time we may see that though the event is flattering, the means are as simple as wisdom could make them; that is, depending upon nature, virtue, thought and habit. Another thing demonstrated will be the propriety of everyman's waiting for his time for appearing upon the stage of the world. Our sensations being very much fixed to the moment, we are apt to forget that more moments are to follow the first, and consequently that man should arrange his conduct so as to suit the whole of a

life. Your attribution appears to have been applied to your life, and the passing moments of it have been enlivened with content and enjoyment instead of being tormented with foolish impatience or regrets. Such a conduct is easy for those who make virtue and themselves in countenance by examples of other truly great men, of whom patience is so often the characteristic. Your Quaker correspondent, sir (for here again I will suppose the subject of my letter resembling Dr. Franklin), praised your frugality, diligence and temperance, which he considered as a pattern for all youth; but it is singular that he should have forgotten your modesty and your disinterestedness, without which you never could have waited for your advancement, or found your situation in the mean time comfortable; which is a strong lesson to show the poverty of glory and the importance of regulating our minds. If this correspondent had known the nature of your reputation as well as I do, he would have said, Your former writings and measures would secure attention to your Biography, and Art of Virtue; and your Biography and Art of Virtue, in return, would secure attention to them. This is an advantage attendant upon a various character, and which brings all that belongs to it into greater play; and it is the more useful, as perhaps more persons are at a loss for the means of improving their minds and characters, than they are for the time or the inclination to do it. But there is one concluding reflection, sir, that will shew the use of your life as a mere piece of biography. This style of writing seems a little gone out of vogue, and yet it is a very useful one; and

your specimen of it may be particularly serviceable, as it will make a subject of comparison with the lives of various public cutthroats and intriguers, and with absurd monastic self-tormentors or vain literary triflers. If it encourages more writings of the same kind with your own, and induces more men to spend lives fit to be written, it will be worth all Plutarch's Lives put together. But being tired of figuring to myself a character of which every feature suits only one man in the world, without giving him the praise of it, I shall end my letter, my dear Dr. Franklin, with a personal application to your proper self. I am earnestly desirous, then, my dear sir, that you should let the world into the traits of your genuine character, as civil broils nay otherwise tend to disguise or traduce it. Considering your great age, the caution of your character, and your peculiar style of thinking, it is not likely that any one besides yourself can be sufficiently master of the facts of your life, or the intentions of your mind. Besides all this, the immense revolution of the present period, will necessarily turn our attention towards the author of it, and when virtuous principles have been pretended in it, it will be highly important to shew that such have really influenced; and, as your own character will be the principal one to receive a scrutiny, it is proper (even for its effects upon your vast and rising country, as well as upon England and upon Europe) that it should stand respectable and eternal. For the furtherance of human happiness, I have always maintained that it is necessary to prove that man is not even at present a vicious and detestable animal; and still

more to prove that good management may greatly amend him; and it is for much the same reason, that I am anxious to see the opinion established, that there are fair characters existing among the individuals of the race; for the moment that all men, without exception, shall be conceived abandoned, good people will cease efforts deemed to be hopeless, and perhaps think of taking their share in the scramble of life, or at least of making it comfortable principally for themselves. Take then, my dear sir, this work most speedily into hand: shew yourself good as you are good; temperate as you are temperate; and above all things, prove yourself as one, who from your infancy have loved justice, liberty and concord, in a way that has made it natural and consistent for you to have acted, as we have seen you act in the last seventeen years of your life. Let Englishmen be made not only to respect, but even to love you. When they think well of individuals in your native country, they will go nearer to thinking well of your country; and when your countrymen see themselves well thought of by Englishmen, they will go nearer to thinking well of England. Extend your views even further; do not stop at those who speak the English tongue, but after having settled so many points in nature and politics, think of bettering the whole race of men. As I have not read any part of the life in question, but know only the character that lived it, I write somewhat at hazard. I am sure, however, that the life and the treatise I allude to (on the Art of Virtue) will necessarily fulfil the chief of my expectations; and still more so if you take up the measure of suiting these

performances to the several views above stated. Should they even prove unsuccessful in all that a sanguine admirer of yours hopes from them, you will at least have framed pieces to interest the human mind; and whoever gives a feeling of pleasure that is innocent to man, has added so much to the fair side of a life otherwise too much darkened by anxiety and too much injured by pain. In the hope, therefore, that you will listen to the prayer addressed to you in this letter, I beg to subscribe myself, my dearest sir, etc., etc.,

"Signed, BENJ. VAUGHAN."

**Continuation of the Account of my Life, begun at Passy,  
near Paris, 1784.**

It is some time since I receiv'd the above letters, but I have been too busy till now to think of complying with the request they contain. It might, too, be much better done if I were at home among my papers, which would aid my memory, and help to ascertain dates; but my return being uncertain and having just now a little leisure, I will endeavor to recollect and write what I can; if I live to get home, it may there be corrected and improv'd.

Not having any copy here of what is already written, I know not whether an account is given of the means I used to establish the Philadelphia public library, which, from a small beginning, is now become so considerable, though I remember to have come down to near the time of that transaction (1730). I will therefore begin here with an

account of it, which may be struck out if found to have been already given.

At the time I establish'd myself in Pennsylvania, there was not a good bookseller's shop in any of the colonies to the southward of Boston. In New York and Philad'a the printers were indeed stationers; they sold only paper, etc., almanacs, ballads, and a few common school-books. Those who lov'd reading were oblig'd to send for their books from England; the members of the Junto had each a few. We had left the alehouse, where we first met, and hired a room to hold our club in. I propos'd that we should all of us bring our books to that room, where they would not only be ready to consult in our conferences, but become a common benefit, each of us being at liberty to borrow such as he wish'd to read at home. This was accordingly done, and for some time contented us.

Finding the advantage of this little collection, I propos'd to render the benefit from books more common, by commencing a public subscription library. I drew a sketch of the plan and rules that would be necessary, and got a skilful conveyancer, Mr. Charles Brockden, to put the whole in form of articles of agreement to be subscribed, by which each subscriber engag'd to pay a certain sum down for the first purchase of books, and an annual contribution for increasing them. So few were the readers at that time in Philadelphia, and the majority of us so poor, that I was not able, with great industry, to find more than fifty persons, mostly young tradesmen, willing to pay down for this purpose forty

shillings each, and ten shillings per annum. On this little fund we began. The books were imported; the library wag opened one day in the week for lending to the subscribers, on their promissory notes to pay double the value if not duly returned. The institution soon manifested its utility, was imitated by other towns, and in other provinces. The libraries were augmented by donations; reading became fashionable; and our people, having no publick amusements to divert their attention from study, became better acquainted with books, and in a few years were observ'd by strangers to be better instructed and more intelligent than people of the same rank generally are in other countries.

When we were about to sign the above-mentioned articles, which were to be binding upon us, our heirs, etc., for fifty years, Mr. Brockden, the scrivener, said to us, "You are young men, but it is scarcely probable that any of you will live to see the expiration of the term fix'd in the instrument." A number of us, however, are yet living; but the instrument was after a few years rendered null by a charter that incorporated and gave perpetuity to the company.

The objections and reluctances I met with in soliciting the subscriptions, made me soon feel the impropriety of presenting one's self as the proposer of any useful project, that might be suppos'd to raise one's reputation in the smallest degree above that of one's neighbors, when one has need of their assistance to accomplish that project. I therefore put myself as much as I could out of sight, and

stated it as a scheme of a number of friends, who had requested me to go about and propose it to such as they thought lovers of reading. In this way my affair went on more smoothly, and I ever after practis'd it on such occasions; and, from my frequent successes, can heartily recommend it. The present little sacrifice of your vanity will afterwards be amply repaid. If it remains a while uncertain to whom the merit belongs, some one more vain than yourself will be encouraged to claim it, and then even envy will be disposed to do you justice by plucking those assumed feathers, and restoring them to their right owner.

This library afforded me the means of improvement by constant study, for which I set apart an hour or two each day, and thus repair'd in some degree the loss of the learned education my father once intended for me. Reading was the only amusement I allow'd myself. I spent no time in taverns, games, or frolics of any kind; and my industry in my business continu'd as indefatigable as it was necessary. I was indebted for my printing-house; I had a young family coming on to be educated, and I had to contend with for business two printers, who were established in the place before me. My circumstances, however, grew daily easier. My original habits of frugality continuing, and my father having, among his instructions to me when a boy, frequently repeated a proverb of Solomon, "Seest thou a man diligent in his calling, he shall stand before kings, he shall not stand before mean men," I from thence considered industry as a means of

obtaining wealth and distinction, which encourag'd me, tho' I did not think that I should ever literally stand before kings, which, however, has since happened; for I have stood before five, and even had the honor of sitting down with one, the King of Denmark, to dinner.

We have an English proverb that says, "He that would thrive, must ask his wife." It was lucky for me that I had one as much dispos'd to industry and frugality as myself. She assisted me cheerfully in my business, folding and stitching pamphlets, tending shop, purchasing old linen rags for the papermakers, etc., etc. We kept no idle servants, our table was plain and simple, our furniture of the cheapest. For instance, my breakfast was a long time bread and milk (no tea), and I ate it out of a twopenny earthen porringer, with a pewter spoon. But mark how luxury will enter families, and make a progress, in spite of principle: being call'd one morning to breakfast, I found it in a China bowl, with a spoon of silver! They had been bought for me without my knowledge by my wife, and had cost her the enormous sum of three-and-twenty shillings, for which she had no other excuse or apology to make, but that she thought her husband deserv'd a silver spoon and China bowl as well as any of his neighbors. This was the first appearance of plate and China in our house, which afterward, in a course of years, as our wealth increas'd, augmented gradually to several hundred pounds in value.

I had been religiously educated as a Presbyterian; and tho' some of the dogmas of that persuasion, such as the eternal decrees of God, election, reprobation, etc., appeared to me unintelligible, others doubtful, and I early absented myself from the public assemblies of the sect, Sunday being my studying day, I never was without some religious principles. I never doubted, for instance, the existence of the Deity; that he made the world, and govern'd it by his Providence; that the most acceptable service of God was the doing good to man; that our souls are immortal; and that all crime will be punished, and virtue rewarded, either here or hereafter. These I esteem'd the essentials of every religion; and, being to be found in all the religions we had in our country, I respected them all, tho' with different degrees of respect, as I found them more or less mix'd with other articles, which, without any tendency to inspire, promote, or confirm morality, serv'd principally to divide us, and make us unfriendly to one another. This respect to all, with an opinion that the worst had some good effects, induc'd me to avoid all discourse that might tend to lessen the good opinion another might have of his own religion; and as our province increas'd in people, and new places of worship were continually wanted, and generally erected by voluntary contributions, my mite for such purpose, whatever might be the sect, was never refused.

Tho' I seldom attended any public worship, I had still an opinion of its propriety, and of its utility when rightly

conducted, and I regularly paid my annual subscription for the support of the only Presbyterian minister or meeting we had in Philadelphia. He us'd to visit me sometimes as a friend, and admonish me to attend his administrations, and I was now and then prevail'd on to do so, once for five Sundays successively. Had he been in my opinion a good preacher, perhaps I might have continued, notwithstanding the occasion I had for the Sunday's leisure in my course of study; but his discourses were chiefly either polemic arguments, or explications of the peculiar doctrines of our sect, and were all to me very dry, uninteresting, and unedifying, since not a single moral principle was inculcated or enforc'd, their aim seeming to be rather to make us Presbyterians than good citizens.

At length he took for his text that verse of the fourth chapter of Philippians, "Finally, brethren, whatsoever things are true, honest, just, pure, lovely, or of good report, if there be any virtue, or any praise, think on these things." And I imagin'd, in a sermon on such a text, we could not miss of having some morality. But he confin'd himself to five points only, as meant by the apostle, viz.: 1. Keeping holy the Sabbath day. 2. Being diligent in reading the holy Scriptures. 3. Attending duly the publick worship. 4. Partaking of the Sacrament. 5. Paying a due respect to God's ministers. These might be all good things; but, as they were not the kind of good things that I expected from that text, I despaired of ever meeting with them from any other, was disgusted, and attended his

preaching no more. I had some years before compos'd a little Liturgy, or form of prayer, for my own private use (viz., in 1728), entitled, Articles of Belief and Acts of Religion. I return'd to the use of this, and went no more to the public assemblies. My conduct might be blameable, but I leave it, without attempting further to excuse it; my present purpose being to relate facts, and not to make apologies for them.

It was about this time I conceiv'd the bold and arduous project of arriving at moral perfection. I wish'd to live without committing any fault at any time; I would conquer all that either natural inclination, custom, or company might lead me into. As I knew, or thought I knew, what was right and wrong, I did not see why I might not always do the one and avoid the other. But I soon found I had undertaken a task of more difficulty than I bad imagined. While my care was employ'd in guarding against one fault, I was often surprised by another; habit took the advantage of inattention; inclination was sometimes too strong for reason. I concluded, at length, that the mere speculative conviction that it was our interest to be completely virtuous, was not sufficient to prevent our slipping; and that the contrary habits must be broken, and good ones acquired and established, before we can have any dependence on a steady, uniform rectitude of conduct. For this purpose I therefore contrived the following method.

In the various enumerations of the moral virtues I had met with in my reading, I found the catalogue more or less

numerous, as different writers included more or fewer ideas under the same name. Temperance, for example, was by some confined to eating and drinking, while by others it was extended to mean the moderating every other pleasure, appetite, inclination, or passion, bodily or mental, even to our avarice and ambition. I propos'd to myself, for the sake of clearness, to use rather more names, with fewer ideas annex'd to each, than a few names with more ideas; and I included under thirteen names of virtues all that at that time occur'd to me as necessary or desirable, and annexed to each a short precept, which fully express'd the extent I gave to its meaning.

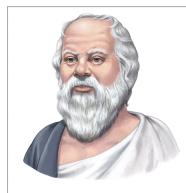
These names of virtues, with their precepts, were:

1. TEMPERANCE. Eat not to dullness; drink not to elevation.
2. SILENCE. Speak not but what may benefit others or yourself; avoid trifling conversation.
3. ORDER. Let all your things have their places; let each part of your business have its time.
4. RESOLUTION. Resolve to perform what you ought; perform without fail what you resolve.
5. FRUGALITY. Make no expense but to do good to others or yourself; i.e., waste nothing.



6. INDUSTRY. Lose no time; be always employ'd in something useful; cut off all unnecessary actions.
7. SINCERITY. Use no hurtful deceit; think innocently and justly, and, if you speak, speak accordingly.
8. JUSTICE. Wrong none by doing injuries, or omitting the benefits that are your duty.
9. MODERATION. Avoid extreams; forbear resenting injuries so much as you think they deserve.
10. CLEANLINESS. Tolerate no uncleanliness in body, cloaths, or habitation.
11. TRANQUILLITY. Be not disturbed at trifles, or at accidents common or unavoidable.
12. CHASTITY. Rarely use venery but for health or offspring, never to dulness, weakness, or the injury of your own or another's peace or reputation.
13. HUMILITY. Imitate Jesus and Socrates.

My intention being to acquire the habitude of all these virtues, I judg'd it would be well not to distract my attention by attempting the whole at once, but to fix it on one of them at a time; and, when I should be master of that, then to proceed to another, and so on, till I should have gone thro' the thirteen; and, as the previous acquisition of some might facilitate the acquisition of certain others, I arrang'd them with that view, as they stand above. Temperance first, as it tends to procure that coolness and clearness of head, which is



so necessary where constant vigilance was to be kept up, and guard maintained against the unremitting attraction of ancient habits, and the force of perpetual temptations. This being acquir'd and establish'd, Silence would be more easy; and my desire being to gain knowledge at the same time that I improv'd in virtue, and considering that in conversation it was obtain'd rather by the use of the ears than of the tongue, and therefore wishing to break a habit I was getting into of prattling, punning, and joking, which only made me acceptable to trifling company, I gave Silence the second place. This and the next, Order, I expected would allow me more time for attending to my project and my studies. Resolution, once become habitual, would keep me firm in my endeavors to obtain all the subsequent virtues; Frugality and Industry freeing me from my remaining debt, and producing affluence and independence, would make more easy the practice of Sincerity and Justice, etc., etc. Conceiving then, that, agreeably to the advice of Pythagoras in his Golden Verses, daily examination would be necessary, I contrived the following method for conducting that examination.

I made a little book, in which I allotted a page for each of the virtues. I rul'd each page with red ink, so as to have seven columns, one for each day of the week, marking each column with a letter for the day. I cross'd these columns with thirteen red lines, marking the beginning of each line with the first letter of one of the virtues, on which line, and in its proper column, I might mark, by a little black spot, every fault I

found upon examination to have been committed respecting that virtue upon that day.

I determined to give a week's strict attention to each of the virtues successively. Thus, in the first week, my great guard was to avoid every the least offence against Temperance, leaving the other virtues to their ordinary chance, only marking every evening the faults of the day. Thus, if in the first week I could keep my first line, marked T, clear of spots, I suppos'd the habit of that virtue so much strengthen'd and its opposite weaken'd, that I might venture extending my attention to include the next, and for the following week keep both lines clear of spots. Proceeding thus to the last, I could go thro' a course compleat in thirteen weeks, and four courses in a year. And like him who, having a garden to weed, does not attempt to eradicate all the bad herbs at once, which would exceed his reach and his strength, but works on one of the beds at a time, and, having accomplish'd the first, proceeds to a second, so I should have, I hoped, the encouraging pleasure of seeing on my pages the progress I made in virtue, by clearing successively my lines of their spots, till in the end, by a number of courses, I should be happy in viewing a clean book, after a thirteen weeks' daily examination.

This my little book had for its motto these lines from Addison's Cato:

"Here will I hold. If there's a power above us (And that there

is all nature cries aloud Thro' all her works), He must delight in virtue; And that which he delights in must be happy."

Another from Cicero,

"O vitae Philosophia dux! O virtutum indagatrix expultrixque vitiorum! Unus dies, bene et ex praceptis tuis actus, peccanti immortalitati est anteponendus."

Another from the Proverbs of Solomon, speaking of wisdom or virtue:

"Length of days is in her right hand, and in her left hand riches and honour. Her ways are ways of pleasantness, and all her paths are peace." iii. 16, 17.

And conceiving God to be the fountain of wisdom, I thought it right and necessary to solicit his assistance for obtaining it; to this end I formed the following little prayer, which was prefix'd to my tables of examination, for daily use.

"O powerful Goodness! bountiful Father! merciful Guide! increase in me that wisdom which discovers my truest interest. strengthen my resolutions to perform what that wisdom dictates. Accept my kind offices to thy other children as the only return in my power for thy continual favors to me."

I used also sometimes a little prayer which I took from Thomson's Poems, viz.:

"Father of light and life, thou Good Supreme! O teach me what is good; teach me Thyself! Save me from folly, vanity, and vice, From every low pursuit; and fill my soul With

knowledge, conscious peace, and virtue pure; Sacred, substantial, never-fading bliss!"

The precept of Order requiring that every part of my business should have its allotted time, one page in my little book contain'd the following scheme of employment for the twenty-four hours of a natural day:

THE MORNING. { 5 } Rise, wash, and address { } Powerful Goodness! Contrive Question. What good shall { 6 } day's business, and take the I do this day? { } resolution of the day; prose- { 7 } cute the present study, and { } breakfast. 8 } 9 } Work. 10 } 11 } NOON. { 12 } Read, or overlook my ac- { 1 } counts, and dine. 2 } 3 } Work. 4 } 5 } EVENING. { 6 } Put things in their places. { 7 } Supper. Music or diversion, Question. What good have { 8 } or conversation. Examination I done to-day? { 9 } of the day. { 10 } { 11 } { 12 } NIGHT. { 1 } Sleep. { 2 } { 3 } { 4 }

I enter'd upon the execution of this plan for self-examination, and continu'd it with occasional intermissions for some time. I was surpris'd to find myself so much fuller of faults than I had imagined; but I had the satisfaction of seeing them diminish. To avoid the trouble of renewing now and then my little book, which, by scraping out the marks on the paper of old faults to make room for new ones in a new course, became full of holes, I transferr'd my tables and precepts to the ivory leaves of a memorandum book, on which the lines were drawn with red ink, that made a durable stain, and on those lines I mark'd my faults with a black-lead pencil, which

marks I could easily wipe out with a wet sponge. After a while I went thro' one course only in a year, and afterward only one in several years, till at length I omitted them entirely, being employ'd in voyages and business abroad, with a multiplicity of affairs that interfered; but I always carried my little book with me.

My scheme of ORDER gave me the most trouble; and I found that, tho' it might be practicable where a man's business was such as to leave him the disposition of his time, that of a journeyman printer, for instance, it was not possible to be exactly observed by a master, who must mix with the world, and often receive people of business at their own hours. Order, too, with regard to places for things, papers, etc., I found extreamly difficult to acquire. I had not been early accustomed to it, and, having an exceeding good memory, I was not so sensible of the inconvenience attending want of method. This article, therefore, cost me so much painful attention, and my faults in it vexed me so much, and I made so little progress in amendment, and had such frequent relapses, that I was almost ready to give up the attempt, and content myself with a faulty character in that respect, like the man who, in buying an ax of a smith, my neighbour, desired to have the whole of its surface as bright as the edge. The smith consented to grind it bright for him if he would turn the wheel; he turn'd, while the smith press'd the broad face of the ax hard and heavily on the stone, which made the turning of it very fatiguing. The man came every now and

then from the wheel to see how the work went on, and at length would take his ax as it was, without farther grinding. "No," said the smith, "turn on, turn on; we shall have it bright by-and-by; as yet, it is only speckled." "Yes," said the man, "but I think I like a speckled ax best." And I believe this may have been the case with many, who, having, for want of some such means as I employ'd, found the difficulty of obtaining good and breaking bad habits in other points of vice and virtue, have given up the struggle, and concluded that "a speckled ax was best"; for something, that pretended to be reason, was every now and then suggesting to me that such extream nicety as I exacted of myself might be a kind of foppery in morals, which, if it were known, would make me ridiculous; that a perfect character might be attended with the inconvenience of being envied and hated; and that a benevolent man should allow a few faults in himself, to keep his friends in countenance.

In truth, I found myself incorrigible with respect to Order; and now I am grown old, and my memory bad, I feel very sensibly the want of it. But, on the whole, tho' I never arrived at the perfection I had been so ambitious of obtaining, but fell far short of it, yet I was, by the endeavour, a better and a happier man than I otherwise should have been if I had not attempted it; as those who aim at perfect writing by imitating the engraved copies, tho' they never reach the wish'd-for excellence of those copies, their hand is

mended by the endeavor, and is tolerable while it continues fair and legible.

It may be well my posterity should be informed that to this little artifice, with the blessing of God, their ancestor ow'd the constant felicity of his life, down to his 79th year, in which this is written. What reverses may attend the remainder is in the hand of Providence; but, if they arrive, the reflection on past happiness enjoy'd ought to help his bearing them with more resignation. To Temperance he ascribes his long-continued health, and what is still left to him of a good constitution; to Industry and Frugality, the early easiness of his circumstances and acquisition of his fortune, with all that knowledge that enabled him to be a useful citizen, and obtained for him some degree of reputation among the learned; to Sincerity and Justice, the confidence of his country, and the honorable employs it conferred upon him; and to the joint influence of the whole mass of the virtues, even in the imperfect state he was able to acquire them, all that evenness of temper, and that cheerfulness in conversation, which makes his company still sought for, and agreeable even to his younger acquaintance. I hope, therefore, that some of my descendants may follow the example and reap the benefit.

It will be remark'd that, tho' my scheme was not wholly without religion, there was in it no mark of any of the distinguishing tenets of any particular sect. I had purposely avoided them; for, being fully persuaded of the utility and

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excellency of my method, and that it might be serviceable to people in all religions, and intending some time or other to publish it, I would not have any thing in it that should prejudice any one, of any sect, against it. I purposed writing a little comment on each virtue, in which I would have shown the advantages of possessing it, and the mischiefs attending its opposite vice; and I should have called my book THE ART OF VIRTUE because it would have shown the means and manner of obtaining virtue, which would have distinguished it from the mere exhortation to be good, that does not instruct and indicate the means, but is like the apostle's man of verbal charity, who only without showing to the naked and hungry how or where they might get clothes or victuals, exhorted them to be fed and clothed.--James ii. 15, 16.

But it so happened that my intention of writing and publishing this comment was never fulfilled. I did, indeed, from time to time, put down short hints of the sentiments, reasonings, etc., to be made use of in it, some of which I have still by me; but the necessary close attention to private business in the earlier part of thy life, and public business since, have occasioned my postponing it; for, it being connected in my mind with a great and extensive project, that required the whole man to execute, and which an unforeseen succession of employes prevented my attending to, it has hitherto remain'd unfinish'd.

In this piece it was my design to explain and enforce this doctrine, that vicious actions are not hurtful because they are forbidden, but forbidden because they are hurtful, the nature of man alone considered; that it was, therefore, every one's interest to be virtuous who wish'd to be happy even in this world; and I should, from this circumstance (there being always in the world a number of rich merchants, nobility, states, and princes, who have need of honest instruments for the management of their affairs, and such being so rare), have endeavored to convince young persons that no qualities were so likely to make a poor man's fortune as those of probity and integrity.

My list of virtues contain'd at first but twelve; but a Quaker friend having kindly informed me that I was generally thought proud; that my pride show'd itself frequently in conversation; that I was not content with being in the right when discussing any point, but was overbearing, and rather insolent, of which he convinc'd me by mentioning several instances; I determined endeavouring to cure myself, if I could, of this vice or folly among the rest, and I added Humility to my list) giving an extensive meaning to the word.

I cannot boast of much success in acquiring the reality of this virtue, but I had a good deal with regard to the appearance of it. I made it a rule to forbear all direct contradiction to the sentiments of others, and all positive assertion of my own. I even forbid myself, agreeably to the old laws of our Junto,

the use of every word or expression in the language that imported a fix'd opinion, such as certainly, undoubtedly, etc., and I adopted, instead of them, I conceive, I apprehend, or I imagine a thing to be so or so; or it so appears to me at present. When another asserted something that I thought an error, I deny'd myself the pleasure of contradicting him abruptly, and of showing immediately some absurdity in his proposition; and in answering I began by observing that in certain cases or circumstances his opinion would be right, but in the present case there appear'd or seem'd to me some difference, etc. I soon found the advantage of this change in my manner; the conversations I engag'd in went on more pleasantly. The modest way in which I propos'd my opinions procur'd them a readier reception and less contradiction; I had less mortification when I was found to be in the wrong, and I more easily prevail'd with others to give up their mistakes and join with me when I happened to be in the right.

And this mode, which I at first put on with some violence to natural inclination, became at length so easy, and so habitual to me, that perhaps for these fifty years past no one has ever heard a dogmatical expression escape me. And to this habit (after my character of integrity) I think it principally owing that I had early so much weight with my fellow-citizens when I proposed new institutions, or alterations in the old, and so much influence in public councils when I became a member; for I was but a bad speaker, never eloquent, subject

to much hesitation in my choice of words, hardly correct in language, and yet I generally carried my points.

In reality, there is, perhaps, no one of our natural passions so hard to subdue as pride. Disguise it, struggle with it, beat it down, stifle it, mortify it as much as one pleases, it is still alive, and will every now and then peep out and show itself; you will see it, perhaps, often in this history; for, even if I could conceive that I had compleatly overcome it, I should probably be proud of my humility.

[Thus far written at Passy, 1741.]

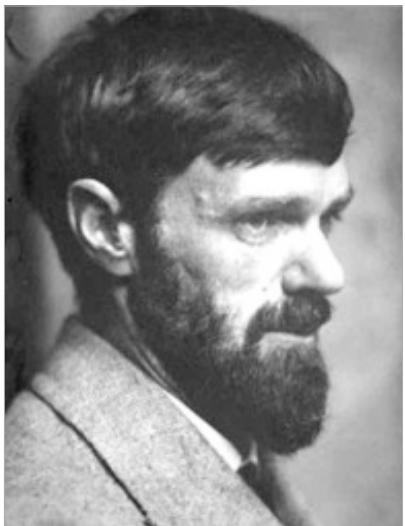
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## SECTION 2

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# Benjamin Franklin

By DH LAWRENCE



THE Perfectibility of Man! Ah heaven, what a dreary theme!  
The perfectibility of the Ford car!  
The perfectibility of which man ?  
I am many men. Which of them  
are you going to perfect ? I am  
not a mechanical contrivance.

Education! Which of the various  
me's do you propose to educate,  
and which do you propose to  
suppress?

Anyhow, I defy you. I defy you, oh society, to educate me or  
to suppress me, according to your dummy standards.

The ideal man! And which is he, if you please? Benjamin  
Franklin or Abraham Lincoln? The ideal man! Roosevelt or  
Porfirio Díaz?

There are other men in me, besides this patient ass who sits  
here in a tweed jacket. What am I doing, playing the patient

ass in a tweed jacket? Who am I talking to? Who are you, at  
the other end of this patience?

Who are you? How many selves have you? And which of  
these selves do you want to be?

Is Yale College going to educate the self that is in the dark of  
you, or Harvard College?

The ideal self! Oh, but I have a strange and fugitive self shut  
out and howling like a wolf or a coyote under the ideal  
windows. See his red eyes in the dark? This is the self who is  
coming into his own.

The perfectibility of man, dear God! When every man as  
long as he remains alive is in himself a multitude of  
conflicting men. Which of these do you choose to perfect, at  
the expense of every other?

Old Daddy Franklin will tell you. He'll rig him up for you,  
the pattern American. Oh, Franklin was the first downright  
American. He knew what he was about, the sharp little man.  
He set up the first dummy American.

At the beginning of his career this cunning little Benjamin  
drew up for himself a creed that should 'satisfy the professors  
of every religion, but shock none'.

Now wasn't that a real American thing to do ?

' That there is One God, who made all things.'

(But Benjamin made Him.)

'That He governs the world by His Providence.'

(Benjamin knowing all about Providence.)

' That He ought to be worshipped with adoration, prayer, and thanks-giving.'

(Which cost nothing.)

'But-' But me no buts, Benjamin, saith the Lord.

'But that the most acceptable service of God is doing good to men.'

(God having no choice in the matter.)

' That the soul is immortal.'

(You'll see why, in the next clause.)

'And that God will certaintly reward virtue and punish vice, either here or hereafter.'

Now if Mr Andrew Carnegie, or any other millionaire, had wished to invent a God to suit his ends, he could not have done better. Benjamin did it for him in the eighteenth century. God is the supreme servant of men who want to get on, to produce. Providence. The provider. The heavenly storekeeper. The everlasting Wanamaker.

And this is all the God the grandsons of the Pilgrim Fathers had left. Aloft on a pillar of dollars.

' That the soul is immortal.'

The trite way Benjamin says it!

But man has a soul, though you can't locate it either in his purse or his pocket-book or his heart or his stomach or his head. The wholeness of a man is his soul. Not merely that nice little comfortable bit which Benjamin marks out.

It's a queer thing is a man's soul. It is the whole of him. Which means it is the unknown him, as well as the known. It seems to me just funny, professors and Benjamins fixing the functions of the soul. Why, the soul of man is a vast forest, and all Benjamin intended was a neat back garden. And we've all got to fit into his kitchen garden scheme of things. Hail Columbia !

The soul of man is a dark forest. The Hercynian Wood that scared the Romans so, and out of which came the white-skinned hordes of the next civilization.

Who knows what will come out of the soul of man? The soul of man is a dark vast forest, with wild life in it. Think of Benjamin fencing it off!

Oh, but Benjamin fenced a little tract that he called the soul of man, and proceeded to get it into cultivation. Providence, forsooth. And they think that bit of barbed wire is going to keep us in pound for ever? More fools they.

This is Benjamin's barbed wire fence. He made himself a list of virtues, which he trotted inside like a grey nag in a paddock.

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## 1. TEMPERANCE

Eat not to fulness; drink not to elevation.

## 2. SILENCE

Speak not but what may benefit others or yourself; avoid trifling conversation

## 3. ORDER

Let all your things have their places; let each part of your business have its time.

## 4. RESOLUTION

Resolve to perform what you ought; perform without fail what you resolve.

## 5. FRUGALITY

Make no expense but to do good to others or yourself i.e., waste nothing.

## 6. INDUSTRY

Lose no time, be always employed in something useful; cut off all unnecessary action.

## 7. SINCERITY

Use no hurtful deceit; think innocently and justly, and, if you speak, speak accordingly.

## 8. JUSTICE

Wrong none by doing injuries, or omitting the benefits that are your duty.

## 9. MODERATION

Avoid extremes, forbear resenting injuries as much as you think they deserve.

## 10. CLEANLINESS

Tolerate no uncleanliness in body, clothes, or habitation.

## 11. TRANQUILLITY

Be not disturbed at trifles, or at accidents common or unavoidable.

## 12. CHASTITY

Rarely use venery but for health and offspring, never to dulness, weakness, or the injury of your own or another's peace or reputation.

## 13. HUMILITY

Imitate Jesus and Socrates.

A Quaker friend told Franklin that he, Benjamin, was generally considered proud, so Benjamin put in the Humility touch as an afterthought. The amusing part is the sort of humility it displays. 'Imitate Jesus and Socrates,' and mind you don't outshine either of these two. One can just imagine Socrates and Alcibiades roaring in their cups over Philadelphian Benjamin, and Jesus looking at him a little

puzzled, and murmuring: 'Aren't you wise in your own conceit, Ben?'

'Henceforth be masterless,' retorts Ben. 'Be ye each one his own master unto himself, and don't let even the Lord put His spoke in.' 'Each man his own master' is but a puffing up of masterlessness.

Well, the first of Americans practiced this enticing list with assiduity, setting a national example. He had the virtues in columns, and gave himself good and bad marks according as he thought his behaviour deserved. Pity these conduct charts are lost to us. He only remarks that Order was his stumbling block. He could not learn to be neat and tidy.

Isn't it nice to have nothing worse to confess ?

He was a little model, was Benjamin. Doctor Franklin. Snuff-coloured little man! Immortal soul and all!

The immortal soul part was a sort of cheap insurance policy.

Benjamin had no concern, really, with the immortal soul. He was too busy with social man.

(1) He swept and lighted the streets of young Philadelphia.

(2) He invented electrical appliances.

(3) He was the centre of a moralizing club in Philadelphia, and he wrote the moral humorisms of Poor Richard.

(4) He was a member of all the important councils of Philadelphia, and then of the American colonies.

(5) He won the cause of American Independence at the French Court, and was the economic father of the United States.

Now what more can you want of a man? And yet he is infra dig., even in Philadelphia.

I admire him. I admire his sturdy courage first of all, then his sagacity, then his glimpsing into the thunders of electricity, then his common-sense humour. All the qualities of a great man, and never more than a great citizen. Middle-sized, sturdy, snuff-coloured Doctor Franklin, one of the soundest citizens that ever trod or 'used venery'.

I do not like him.

And, by the way, I always thought books of Venery were about hunting deer.

There is a certain earnest naivet, about him. Like a child. And like a little old man. He has again become as a little child, always as wise as his grandfather, or wiser.

Perhaps, as I say, the most complete citizen that ever 'used venery'.

Printer, philosopher, scientist, author and patriot, impeccable husband and citizen, why isn't he an archetype?

Pioneer, Oh Pioneers! Benjamin was one of the greatest pioneers of the United States. Yet we just can't do with him.

What's wrong with him then ? Or what's wrong with us ?

I can remember, when I was a little boy, my father used to buy a scrubby yearly almanac with the sun and moon and stars on the cover. And it used to prophesy bloodshed and famine. But also crammed in corners it had little anecdotes and humorisms, with a moral tag. And I used to have my little priggish laugh at the woman who counted her chickens before they were hatched and so forth, and I was convinced that honesty was the best policy, also a little priggishly. The author of these bits was Poor Richard, and Poor Richard was Benjamin Franklin, writing in Philadelphia well over a hundred years before.

And probably I haven't got over those Poor Richard `tags yet. I rankle still with them. They are thorns in young flesh.

Because, although I still believe that honesty is the best policy, I dislike policy altogether; though it is just as well not to count your chickens before they are hatched, it's still more hateful to count them with gloating when they are hatched. It has taken me many years and countless smarts to get out of that barbed wire moral enclosure that Poor Richard rigged up. Here am I now in tatters and scratched to ribbons, sitting in the middle of Benjamin's America looking at the barbed wire, and the fat sheep crawling under the fence to get fat outside, and the watch-dogs yelling at the gate lest by chance anyone should get out by the proper exit. Oh America! Oh Benjamin! And I just utter a long loud curse against Benjamin and the American corral.

Moral America! Most moral Benjamin. Sound, satisfied Ben!

He had to go to the frontiers of his State to settle some disturbance among the Indians. On this occasion he writes:

We found that they had made a great bonfire in the middle of the square; they were all drunk, men and women quarrelling and fighting. Their dark-coloured bodies, half-naked, seen only by the gloomy light of the bonfire, running after and beating one another with fire-brands, accompanied by their horrid yellings, formed a scene the most resembling our ideas of hell that could be well imagined. There was no appeasing the tumult, and we retired to our lodging. At midnight a number of them came thundering at our door, demanding more rum, of which we took no notice.

The next day, sensible they had misbehaved in giving us that disturbance, they sent three of their counsellors to make their apology. The orator acknowledged the fault, but laid it upon the rum, and then endeavoured to excuse the rum by saying: 'The Great Spirit, who made all things, made everything for some use; and whatever he designed anything for, that use it should always be put to. Now, when he had made the rum, he said: " Let this be for the Indians to get drunk with." And it must be so.'

And, indeed, if it be the design of Providence to extirpate these savages in order to make room for the cultivators of the earth, it seems not improbable that rum may be the

appointed means. It has already annihilated all the tribes who formerly inhabited all the seacoast . . .

This, from the good doctor with such suave complacency, is a little disenchanting. Almost too good to be true.

But there you are! The barbed wire fence. 'Exterminate these savages in order to make room for the cultivators of the earth.' Oh, Benjamin Franklin! He even 'used venery' as a cultivator of seed.

Cultivate the earth, ye gods! The Indians did that, as much as they needed. And they left off there. Who built Chicago? Who cultivated the earth until it spawned Pittsburgh, Pa?

The moral issue! Just look at it! Cultivation included. If it's a mere choice of Kultur or cultivation, I give it up.

Which brings us right back to our question, what's wrong with Benjamin, that we can't stand him? Or else, what's wrong with us, that we kind fault with such a paragon?

Man is a moral animal. All right. I am a moral animal. And I'm going to remain such. I'm not going to be turned into a virtuous little automaton as Benjamin would have me. 'This is good, that is bad. Turn the little handle and let the good tap flow,' saith Benjamin, and all America with him. 'But first of all extirpate those savages who are always turning on the bad tap.'



I am a moral animal. But I am not a moral machine. I don't work with a little set of handles or levers. The Temperance- silence-order- resolution-frugality-industry-sincerity - justice-moderation-cleanliness-tranquillity-chastity-humility keyboard is not going to get me going. I'm really not just an automatic piano with a moral Benjamin getting tunes out of me.



Here's my creed, against Benjamin's. This is what I believe:  
'That I am I.'

' That my soul is a dark forest.'

'That my known self will never be more than a little clearing in the forest.'

'That gods, strange gods, come forth from the forest into the clearing of my known self, and then go back.'

' That I must have the courage to let them come and go.'

' That I will never let mankind put anything over me, but that I will try always to recognize and submit to the gods in me and the gods in other men and women.'

There is my creed. He who runs may read. He who prefers to crawl, or to go by gasoline, can call it rot.

Then for a 'list'. It is rather fun to play at Benjamin.

## 1. TEMPERANCE

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Eat and carouse with Bacchus, or munch dry bread with Jesus, but don't sit down without one of the gods.

## 2. SILENCE

Be still when you have nothing to say; when genuine passion moves you, say what you've got to say, and say it hot.

## 3. ORDER

Know that you are responsible to the gods inside you and to the men in whom the gods are manifest. Recognize your superiors and your inferiors, according to the gods. This is the root of all order.

## 4. RESOLUTION

Resolve to abide by your own deepest promptings, and to sacrifice the smaller thing to the greater. Kill when you must, and be killed the same: the must coming from the gods inside you, or from the men in whom you recognize the Holy Ghost.

## 5. FRUGALITY

Demand nothing; accept what you see fit. Don't waste your pride or squander your emotion.

## 6. INDUSTRY

Lose no time with ideals; serve the Holy Ghost; never serve mankind.

## 7. SINCERITY

To be sincere is to remember that I am I, and that the other man is not me.

## 8. JUSTICE

The only justice is to follow the sincere intuition of the soul, angry or gentle. Anger is just, and pity is just, but judgement is never just.

## 9. MODERATION

Beware of absolutes. There are many gods.

## 10. CLEANLINESS

Don't be too clean. It impoverishes the blood.

## 11. TRANQUILITY

The soul has many motions, many gods come and go. Try and find your deepest issue, in every confusion, and abide by that. Obey the man in whom you recognize the Holy Ghost; command when your honour comes to command.

## 12. CHASTITY

Never 'use' venery at all. Follow your passional impulse, if it be answered in the other being; but never have any motive in mind, neither offspring nor health nor even pleasure, nor even service. Only know that 'venery' is of the great gods. An offering-up of yourself to the very great gods, the dark ones, and nothing else.

## 13. HUMILITY

See all men and women according to the Holy Ghost that is within them. Never yield before the barren.

There's my list. I have been trying dimly to realize it for a long time, and only America and old Benjamin have at last goaded me into trying to formulate it. ,

And now I, at least, know why I can't stand Benjamin. He tries to take away my wholeness and my dark forest, my freedom. For how can any man be free, without an illimitable background? And Benjamin tries to shove me into a barbed wire paddock and make me grow potatoes or Chicagoes.

And how can I be free, without gods that come and go? But Benjamin won't let anything exist except my useful fellow men, and I'm sick of them; as for his Godhead, his Providence, He is Head of nothing except a vast heavenly store that keeps every imaginable line of goods, from victrolas to cat-o'-nine tails.

And how can any man be free without a soul of his own, that he believes in and won't sell at any price? But Benjamin doesn't let me have a soul of my own. He says I am nothing but a servant of mankind - galley-slave I call it - and if I don't get my wages here below - that is, if Mr Pierpont Morgan or Mr Nosey Hebrew or the grand United States Government, the great US, US or SOMEOFUS, manages to scoop in my bit, along with their lump - why, never mind, I shall get my wages HEREAFTER.

Oh Benjamin! Oh Binjum! You do NOT suck me in any longer.

And why, oh why should the snuff-coloured little trap have wanted to take us all in? Why did he do it?

Out of sheer human cussedness, in the first place. We do all like to get things inside a barbed wire corral. Especially our fellow men. We love to round them up inside the barbed wire enclosure of FREEDOM, and make 'em work. 'Work, you free jewel, WORK!' shouts the liberator, cracking his whip. Benjamin, I will not work. I do not choose to be a free democrat. I am absolutely a servant of my own Holy Ghost.

Sheer cussedness! But there was as well the salt of a subtler purpose. Benjamin was just in his eyeholes - to use an English vulgarism, meaning he was just delighted - when he was at Paris judiciously milking money out of the French monarchy for the overthrow of all monarchy. If you want to ride your horse to somewhere you must put a bit in his mouth. And Benjamin wanted to ride his horse so that it would upset the whole apple-cart of the old masters. He wanted the whole European apple-cart upset. So he had to put a strong bit in the mouth of his ass.

'Henceforth be masterless.'

That is, he had to break-in the human ass completely, so that much more might be broken, in the long run. For the moment it was the British Government that had to have a

hole knocked in it. The first real hole it ever had: the breach of the American rebellion.

Benjamin, in his sagacity, knew that the breaking of the old world was a long process. In the depths of his own underconsciousness he hated England, he hated Europe, he hated the whole corpus of the European being. He wanted to be American. But you can't change your nature and mode of consciousness like changing your shoes. It is a gradual shedding. Years must go by, and centuries must elapse before you have finished. Like a son escaping from the domination of his parents. The escape is not just one rupture. It is a long and half-secret process.

So with the American. He was a European when he first went over the Atlantic. He is in the main a recreant European still. From Benjamin Franklin to Woodrow Wilson may be a long stride, but it is a stride along the same road. There is no new road. The same old road, become dreary and futile. Theoretic and materialistic.

Why then did Benjamin set up this dummy of a perfect citizen as a pattern to America ? Of course, he did it in perfect good faith, as far as he knew. He thought it simply was the true ideal. But what we think we do is not very important. We never really know what we are doing. Either we are materialistic instruments, like Benjamin, or we move in the gesture of creation, from our deepest self, usually unconscious. We are only the actors, we are never wholly the authors of our own deeds or works. IT is the author, the

unknown inside us or outside us. The best we can do is to try to hold ourselves in unison with the deeps which are inside us. And the worst we can do is to try to have things our own way, when we run counter to IT, and in the long run get our knuckles rapped for our presumption. So Benjamin contriving money out of the Court of France. He was contriving the first steps of the overthrow of all Europe, France included. You can never have a new thing without breaking an old. Europe happens to be the old thing. America, unless the people in America assert themselves too much in opposition to the inner gods, should be the new thing. The new thing is the death of the old. But you can't cut the throat of an epoch. You've got to steal the life from it through several centuries.

And Benjamin worked for this both directly and indirectly. Directly, at the Court of France, making a small but very dangerous hole in the side of England, through which hole Europe has by now almost bled to death. And indirectly in Philadelphia, setting up this unlovely, snuff-coloured little ideal, or automaton, of a pattern American. The pattern American, this dry, moral, utilitarian little democrat, has done more to ruin the old Europe than any Russian nihilist. He has done it by slow attrition, like a son who has stayed at home and obeyed his parents, all the while silently hating their authority, and silently, in his soul, destroying not only their authority but their whole existence. For the American spiritually stayed at home in Europe. The spiritual home of

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America was, and still is, Europe. This is the galling bondage, in spite of several billions of heaped-up gold. Your heaps of gold are only so many muck-heaps, America, and will remain so till you become a reality to yourselves.

All this Americanizing and mechanizing has been for the purpose of overthrowing the past. And now look at America, tangled in her own barbed wire, and mastered by her own machines. Absolutely got down by her own barbed wire of shalt-nots, and shut up fast in her own 'productive' machines like millions of squirrels running in millions of cages. It is just a farce. Now is your chance, Europe. Now let Hell loose and get your own back, and paddle your own canoe on a new sea, while clever America lies on her muck-heaps of gold, strangled in her own barbed wire of shalt-not ideals and shalt-not moralisms. While she goes out to work like millions of squirrels in millions of cages. Production! Let Hell loose, and get your own back, Europe!

## SECTION 3

# “Why Gen-Y Johnny Can’t Read Nonverbal Cues”

By MARK BAUERLEIN



In September 2008, when Nielsen Mobile announced that teenagers with cellphones each sent and received, on average, 1,742 text messages a month, the number sounded high, but just a

few months later Nielsen raised the tally to 2,272. A year earlier, the National School Boards Association estimated that middle- and high-school students devoted an average of nine hours to social networking each week. Add email, blogging, IM, tweets and other digital customs and you realize what kind of hurried, 24/7 communications system young people experience today.

Unfortunately, nearly all of their communication tools involve the exchange of written words alone. At least phones, cellular and otherwise, allow the transmission of tone of voice, pauses and the like. But even these clues are absent in the text-dependent world. Users insert smiley-faces into emails, but they don't see each others' actual faces. They read comments on Facebook, but they don't "read" each others' posture, hand gestures, eye movements, shifts in personal space and other nonverbal—and expressive—behaviors.

Back in 1959, anthropologist Edward T. Hall labeled these expressive human attributes "the Silent Language." Hall passed away last month in Santa Fe at age 95, but his writings on nonverbal communication deserve continued attention. He argued that body language, facial expressions and stock mannerisms function "in juxtaposition to words," imparting feelings, attitudes, reactions and judgments in a different register.

This is why, Hall explained, U.S. diplomats could enter a foreign country fully competent in the native language and yet still flounder from one miscommunication to another, having failed to decode the manners, gestures and subtle protocols that go along with words. And how could they, for the "silent language" is acquired through acculturation, not schooling. Not only is it unspoken; it is largely unconscious. The meanings that pass through it remain implicit, more felt than understood.

They are, however, operative. Much of our social and workplace lives runs on them. For Hall, breakdowns in nonverbal communication took place most damagingly in cross-cultural circumstances—for instance, federal workers dealing with Navajo Indians and misconstruing their basic conceptions of time. Within cultures, Hall assumed, people more or less "spoke" the same silent language.

They may no longer, thanks to the avalanche of all-verbal communication. In Silicon Valley itself, as the Los Angeles Times reported last year, some companies have installed the "topless" meeting—in which not only laptops but iPhones and other tools are banned—to combat a new problem: "continuous partial attention." With a device close by, attendees at workplace meetings simply cannot keep their focus on the speaker. It's too easy to check email, stock quotes and Facebook. While a quick log-on may seem, to the user, a harmless break, others in the room receive it as a silent dismissal. It announces: "I'm not interested." So the tools must now remain at the door. Older employees might well accept such a ban, but younger ones might not understand it. Reading a text message in the middle of a conversation isn't a lapse to them—it's what you do. It has, they assume, no nonverbal meaning to anyone else.

It does, of course, but how would they know it? We live in a culture where young people—outfitted with iPhone and laptop and devoting hours every evening from age 10 onward to messaging of one kind and another—are ever less

likely to develop the "silent fluency" that comes from face-to-face interaction. It is a skill that we all must learn, in actual social settings, from people (often older) who are adept in the idiom. As text-centered messaging increases, such occasions diminish. The digital natives improve their adroitness at the keyboard, but when it comes to their capacity to "read" the behavior of others, they are all thumbs. Nobody knows the extent of the problem. It is too early to assess the effect of digital habits, and the tools change so quickly that research can't keep up with them. By the time investigators design a study, secure funding, collect results and publish them, the technology has changed and the study is outdated.

Still, we might reasonably pose questions about silent-language acquisition in a digital environment. Lots of folks grumble about the diffidence, self-absorption and general uncommunicativeness of Generation Y. The next time they face a twenty-something who doesn't look them in the eye, who slouches and sighs for no apparent reason, who seems distracted and unaware of the rising frustration of the other people in the room, and who turns aside to answer a text message with glee and facility, they shouldn't think, "What a rude kid." Instead, they should show a little compassion and, perhaps, seize on a teachable moment. "Ah," they might think instead, "another texter who doesn't realize that he is communicating, right now, with every glance and movement—and that we're reading him all too well."

## SECTION 4

# The Flight from Conversation

By SHERRY TURKLE

WE live in a technological universe in which we are always communicating. And yet we have sacrificed conversation for mere connection.

At home, families sit together, texting and reading e-mail. At



work executives text during board meetings. We text (and shop and go on Facebook) during classes and

when we're on dates. My students tell me about an important new skill: it involves maintaining eye contact with someone while you text someone else; it's hard, but it can be done.

Over the past 15 years, I've studied technologies of mobile connection and talked to hundreds of people of all ages and circumstances about their plugged-in lives. I've learned that the little devices most of us carry around are so powerful that they change not only what we do, but also who we are.

We've become accustomed to a new way of being "alone together." Technology-enabled, we are able to be with one another, and also elsewhere, connected to wherever we want to be. We want to customize our lives. We want to move in and out of where we are because the thing we value most is control over where we focus our attention. We have gotten used to the idea of being in a tribe of one, loyal to our own party.

Our colleagues want to go to that board meeting but pay attention only to what interests them. To some this seems like a good idea, but we can end up hiding from one another, even as we are constantly connected to one another.

A businessman laments that he no longer has colleagues at work. He doesn't stop by to talk; he doesn't call. He says that he doesn't want to interrupt them. He says they're "too busy on their e-mail." But then he pauses and corrects himself. "I'm not telling the truth. I'm the one who doesn't want to be interrupted. I think I should. But I'd rather just do things on my BlackBerry."

A 16-year-old boy who relies on texting for almost everything says almost wistfully, "Someday, someday, but

certainly not now, I'd like to learn how to have a conversation."

In today's workplace, young people who have grown up fearing conversation show up on the job wearing earphones. Walking through a college library or the campus of a high-tech start-up, one sees the same thing: we are together, but each of us is in our own bubble, furiously connected to keyboards and tiny touch screens. A senior partner at a Boston law firm describes a scene in his office. Young associates lay out their suite of technologies: laptops, iPods and multiple phones. And then they put their earphones on. "Big ones. Like pilots. They turn their desks into cockpits." With the young lawyers in their cockpits, the office is quiet, a quiet that does not ask to be broken.

In the silence of connection, people are comforted by being in touch with a lot of people — carefully kept at bay. We can't get enough of one another if we can use technology to keep one another at distances we can control: not too close, not too far, just right. I think of it as a Goldilocks effect.

Texting and e-mail and posting let us present the self we want to be. This means we can edit. And if we wish to, we can delete. Or retouch: the voice, the flesh, the face, the body. Not too much, not too little — just right.



Human relationships are rich; they're messy and demanding. We have learned the habit of cleaning them up with technology. And the move from conversation to connection is part of this. But it's a process in which we shortchange ourselves. Worse, it seems that over time we stop caring, we forget that there is a difference.

We are tempted to think that our little "sips" of online connection add up to a big gulp of real conversation. But they don't. E-mail, Twitter, Facebook, all of these have their places — in politics, commerce, romance and friendship. But no matter how valuable, they do not substitute for conversation.

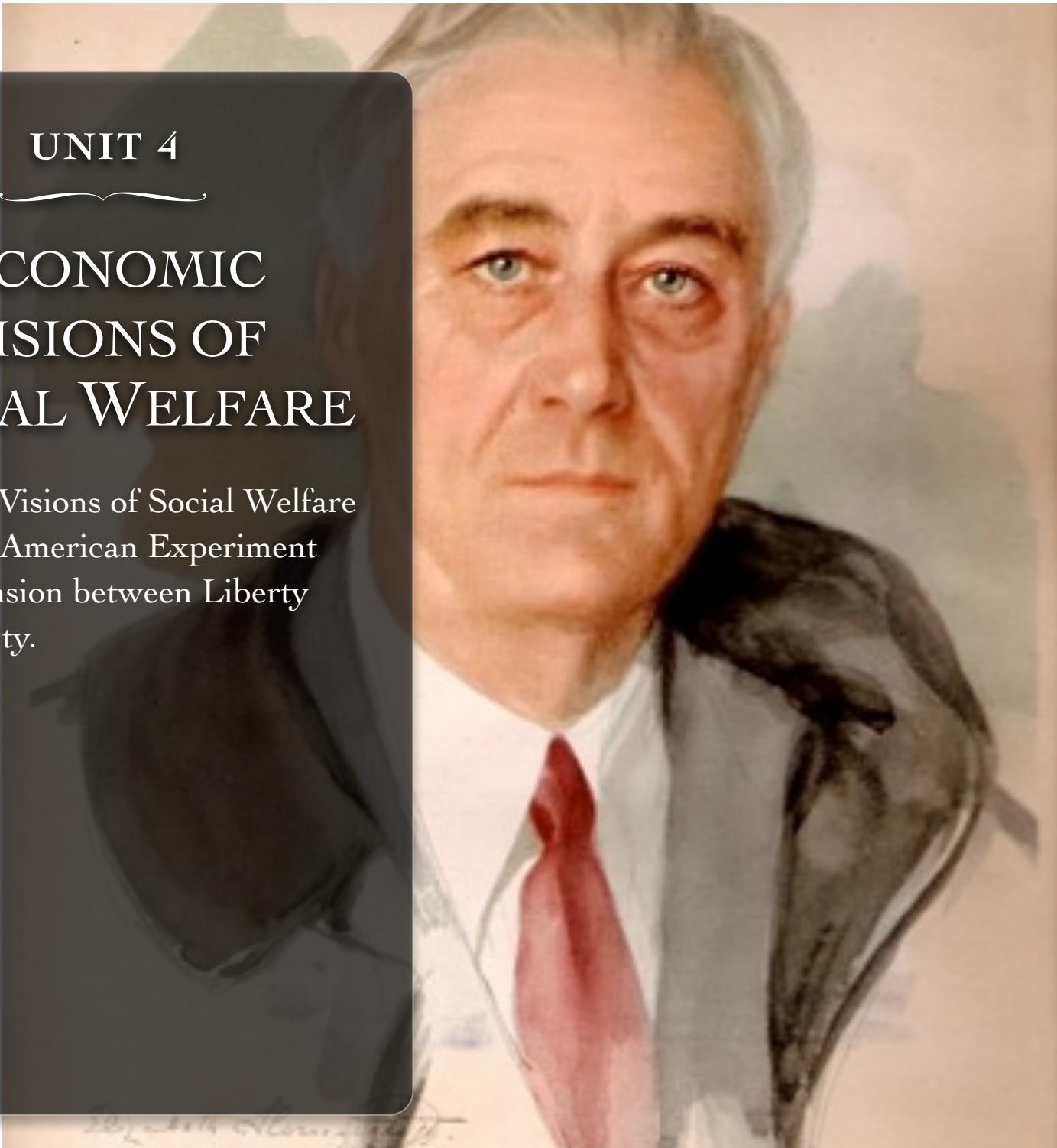
Connecting in sips may work for gathering discrete bits of information or for saying, "I am thinking about you." Or even for saying, "I love you." But connecting in sips doesn't work as well when it comes to understanding and knowing one another. In conversation we tend to one another. (The word itself is kinetic; it's derived from words that mean to move, together.) We can attend to tone and nuance. In conversation, we are called upon to see things from another's point of view.

UNIT 4

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ECONOMIC VISIONS OF SOCIAL WELFARE

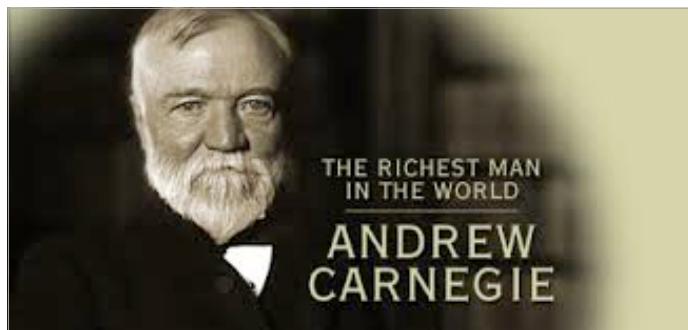
Economic Visions of Social Welfare
within the American Experiment
and the tension between Liberty
and Equality.



SECTION 1

“The Gospel of Wealth”

by ANDREW CARNEGIE



Excerpts of an essay written by Carnegie in 1889.

Introduction by Amy Kass:

Andrew Carnegie (1835-1919), Scottish-born American industrialist, led the expansion of the American steel industry in the late nineteenth century and was one of the foremost philanthropists of his era. In the first of the two parts of this “Gospel,” Carnegie explains his main principle—that the surplus earned by men of great wealth should be allocated and administered by them, acting as trustees, while they are still alive—and draws out the implications for choosing fitting beneficiaries. In the second part, written in reply to

the many responses to the first, Carnegie specifies the most fruitful fields in which men of wealth should sow.

That Carnegie sees his gospel, at least in its intent, to be in harmony with the spirit of the Christian Gospels is evidenced by his lofty claim that it will solve the problem of the rich and the poor and bring “peace on earth, among men good will.”

But however Christian the intent of his gospel, both its grounding and its specific recommendations are quintessentially American. Carnegie has unqualified enthusiasm for American individualism and the entrepreneurial outlook it fosters; he stands in firm opposition to giving simply for the sake of relief and insists that help be offered only to those who would help themselves. Indeed, to avoid giving to individuals of questionable merit, Carnegie recommends giving only to institutions. Is it better to give away one’s surplus wealth during one’s lifetime, rather than as an inheritance? What does it mean to see oneself as a trustee? Can Carnegie avoid the charge of paternalism? Were Carnegie alive today, to what do you think he would urge millionaires to devote their surplus wealth? Though Carnegie is primarily addressing people like himself—those with vast fortunes—he argues that those of us with surplus wealth, however meager, should likewise regard ourselves as trustees and direct our surplus to the sorts of places he specifies. Should we? Should

Carnegie's standards for his beneficiaries be applied to our own children?

I. THE PROBLEM OF THE ADMINISTRATION OF WEALTH

THE problem of our age is the proper administration of wealth, that the ties of brotherhood may still bind together the rich and poor in harmonious relationship. The conditions of human life have not only been changed, but revolutionized, within the past few hundred years. In former days there was little difference between the dwelling, dress, food, and environment of the chief and those of his retainers. The Indians are to-day where civilized man then was. When visiting the Sioux, I was led to the wigwam of the chief. It was like the others in external appearance, and even within the difference was trifling between it and those of the poorest of his braves. The contrast between the palace of the millionaire and the cottage of the laborer with us to-day measures the change which has come with civilization. This I change, however, is not to be deplored, but welcomed as highly beneficial. It--is well, nay, essential, for the progress of the race that the houses of some should be homes for all that is highest and best in literature and the arts, and for all the refinements of civilization, rather than that none should be so. Much better this great irregularity than universal squalor. Without wealth there can be no Mcecenas. The "good old times" were not good old times. Neither master nor servant

was as well situated then as to-day. A relapse to old conditions would be disastrous to both-not the least so to him who serves-and would sweep away civilization with it. But whether the change be for good or ill, it is upon us, beyond our power to alter, and, therefore, to be accepted and made the best of. It is a waste of time to criticize the inevitable.

It is easy to see how the change has come. One illustration will serve for almost every phase of the cause. In the manufacture of products we have the whole story. It applies to all combinations of human industry, as stimulated and enlarged by the inventions of this scientific age. Formerly, articles were manufactured at the domestic hearth, or in small shops which formed part of the household. The master and his apprentices worked side by side, the latter living with the master, and therefore subject to the same conditions. When these apprentices rose to be masters, there was little or no change in their mode of life, and they, in turn, educated succeeding apprentices in the same routine. There was, substantially, social equality, and even political equality, for those engaged in industrial pursuits had then little or no voice in the State.

The inevitable result of such a mode of manufacture was crude articles at high prices. To-day the world obtains commodities of excellent quality at prices which even the preceding generation would have deemed incredible. In the commercial world similar causes have produced similar results, and the race is benefited thereby. The poor enjoy

what the rich could not before afford. What were the luxuries have become the necessities of life. The laborer has now more comforts than the farmer had a few generations ago. The farmer has more luxuries than the landlord had, and is more richly clad and better housed. The landlord has books and pictures rarer and appointments more artistic than the king could then obtain.

The price we pay for this salutary change is, no doubt, great. We assemble thousands of operatives in the factory, and in the mine, of whom the employer can know little or nothing, and to whom he is little better than a myth. All intercourse between them is at an end. Rigid castes are formed, and, as usual, mutual ignorance breeds mutual distrust. Each caste is without sympathy with the other, and ready to credit anything disparaging in regard to it. Under the law of competition, the employer of thousands is forced into the strictest economies, among which the rates paid to labor figure prominently, and often there is friction between the employer and the employed, between capital and labor, between rich and poor. Human society loses homogeneity.

The price which society pays for the law of competition, like the price it pays for cheap comforts and luxuries, is also great; but the advantages of this law are also greater still than its cost-for it is to this law that we owe our wonderful material development, which brings improved conditions in its train. But, whether the law be benign or not, we must say of it, as we say of the change in the conditions of men to

which we have referred: It is here; we cannot evade it; no substitutes for it have been found; and while the law may be sometimes hard for the individual, it is best for the race, because it insures the survival of the fittest in every department. We accept and welcome, therefore, as conditions to which we must accommodate ourselves, great inequality of environment; the concentration of business, industrial and commercial, in the hands of a few; and the law of competition between these, as being not only beneficial, but essential to the future progress of the race. Having accepted these, it follows that there must be great scope for the exercise of special ability in the merchant and in the manufacturer who has to conduct affairs upon a great scale. That this talent for organization and management is rare among men is proved by the fact that it invariably secures enormous rewards for its possessor, no matter where or under what laws or conditions. The experienced in affairs always rate the man whose services can be obtained as a partner as not only the first consideration, but such as render the question of his capital scarcely worth considering: for able men soon create capital; in the hands of those without the special talent required, capital soon takes wings. Such men become interested in firms or corporations using millions; and, estimating only simple interest to be made upon the capital invested, it is inevitable that their income must exceed their expenditure and that they must, therefore, accumulate wealth. Nor is there any middle ground which such men can occupy, because the great manufacturing or

commercial concern which does not earn at least interest upon its capital soon becomes bankrupt. It must either go forward or fall behind; to stand still is impossible. It is a condition essential to its successful operation that it should be thus far profitable, and even that, in addition to interest on capital, it should make profit. It is a law, as certain as any of the others named, that men possessed of this peculiar talent for affairs, under the free play of economic forces must, of necessity, soon be in receipt of more revenue than can be judiciously expended upon them selves; and this law is as beneficial for the race as the others.

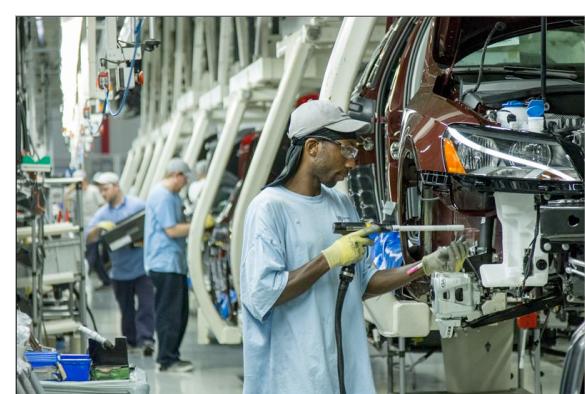
Objections to the foundations upon which society is based are not in order, because the condition of the race is better with these than it has been with any other which has been tried. Of the effect of any new substitutes proposed we cannot be sure. The Socialist or Anarchist who seeks to overturn present conditions is to be regarded as attacking the foundation upon which civilization itself rests, for civilization took its start from the day when the capable, industrious workman said to his incompetent and lazy fellow, "If thou cost not sow, thou shalt not reap," and thus ended primitive Communism by separating the drones from the bees. One who studies this subject will soon be brought face to face with the conclusion that upon the sacredness of property civilization itself depends-the right of the laborer to his hundred dollars in the savings-bank, and equally the legal right of the millionaire to his millions. Every man must be

allowed "to sit under his own vine and fig-tree, with none to make afraid," if human society is to advance, or even to remain so far advanced as it is. To those who propose to substitute Communism for this intense Individualism, the answer therefore is: The race has tried that. All progress from that barbarous day to the present time has resulted from its displacement. Not evil, but good, has come to the race from the accumulation of wealth by those who have had the ability and energy to produce it. But even if we admit for a moment that it might be better for the race to discard its present foundation, Individualism,-that it is a nobler ideal that man should labor, not for himself alone, but in and for a brotherhood of his fellows, and share with them all in common, realizing Swedenborg's idea of heaven, where, as he says, the angels derive their happiness, not from laboring for self, but for each other, -even admit all this, and a sufficient answer is, This is not evolution, but revolution. It necessitates the changing of human nature itself-a work of eons, even if it were good to change it, which we cannot know.

It is not practicable in our day or in our age. Even if desirable theoretically, it belongs to another and long-succeeding sociological stratum. Our duty is with what is practicable now-with the next step possible in our day and generation. It is criminal to waste our energies in endeavoring to uproot, when all we can profitably accomplish is to bend the universal tree of humanity a little

in the direction most favorable to the production of good fruit under existing circumstances. We might as well urge the destruction of the highest existing type of man because he failed to reach our ideal as to favor the destruction of Individualism, Private Property, the Law of Accumulation of Wealth, and the Law of Competition; for these are the highest result of human experience, the soil in which society,

so far, has produced the best fruit. In equally or unjustly, perhaps, as these laws sometimes operate, and imperfect as they appear to the Idealist, they are, nevertheless, like the highest type



of man, the best and most valuable of all that humanity has yet accomplished.

We start, then, with a condition of affairs under which the best interests of the race are promoted, but which inevitably gives wealth to the few. Thus far, accepting conditions as they exist, the situation can be surveyed and pronounced good. Question then arises.-and if the foregoing be correct, it is the only question with which we have to deal,-What is the proper mode of administering wealth after the laws upon which civilization is founded have thrown it into the hands of the few. And it is of this great question that I believe I offer

the true solution. It will be understood that fortunes are here spoken of, not moderate sums saved by many years of effort, the returns from which are required for the comfortable maintenance and education of families. This is not wealth, but only competence, which it should be the aim of all to acquire, and which it is for the best interests of society should be acquired.

There are but three modes in which surplus wealth can be disposed of. It can be left to the families of the descendants; or it can be bequeathed for public purposes; or, finally, it can be administered by its possessors during their lives. Under the first and second modes most of the wealth of the world that has reached the few has hitherto been applied. Let us in turn consider each of these modes. The first is the most injudicious. In monarchical countries, the estates and the greatest portion of the wealth are left to the first son, that the vanity of the parent may be gratified by the thought that his name and title are to descend unimpaired to succeeding generations. The condition of this class in Europe to-day teaches the failure of such hopes or ambitions. The successors have become impoverished through their follies, or from the fall in the value of land. Even in Great Britain the strict law of entail has been found inadequate to maintain an hereditary class. Its soil is rapidly passing into the hands of the stranger. Under republican institutions the division of property among the children is much fairer; but the question which forces itself upon thoughtful men in all lands is, Why

should men leave great fortunes to their children. If this is done from affection, is it not misguided affection.

Observation teaches that, generally speaking, it is not well for the children that they should be so burdened. Neither is it well for the State. Beyond providing for the wife and daughters moderate sources of income, and very moderate allowances indeed, if any, for the sons, men may well hesitate; for it is no longer questionable that great sums bequeathed often work more for the injury than for the good of the recipients. Wise men will soon conclude that, for the best interests of the members of their families, and of the State, such bequests are an improper use of their means.

It is not suggested that men who have failed to educate their sons to earn a livelihood shall cast them adrift in poverty. If any man has seen fit to rear his sons with a view to their living idle lives, or, what is highly commendable, has instilled in them the sentiment that they are in a position to labor for public ends without reference to pecuniary considerations, then, of course, the duty of the parent is to see that such are provided for in moderation. There are instances of millionaires' sons unspoiled by wealth, who, being rich, still perform great services to the community. Such are the very salt of the earth, as valuable as, unfortunately, they are rare. It is not the exception however, but the rule, that men must regard; and, looking at the usual result of enormous sums conferred upon legatees, the thoughtful man must shortly say, "I would as soon leave to my son a curse as the almighty

dollar," and admit to himself that it is not the welfare of the children, but family pride, which inspires these legacies.

As to the second mode, that of leaving wealth at death for public uses, it may be said that this is only a means for the disposal of wealth, provided a man is content to wait until he is dead before he becomes of much good in the world. Knowledge of the results of legacies bequeathed is not calculated to inspire the brightest hopes of much posthumous good being accomplished by them. The cases are not few in which the real object sought by the testator is not attained, nor are they few in which his real wishes are thwarted. In many cases the bequests are so used as to be come only monuments of his folly. It is well to remember that it requires the exercise of not less ability than that which acquires it, to use wealth so as to be really beneficial to the community. Besides this, it may fairly be said that no man is to be extolled for doing what he cannot help doing, nor is he to be thanked by the community to which he only leaves wealth at death. Men who leave vast sums in this way may fairly be thought men who would not have left it at all had they been able to take it with them. The memories of such cannot be held in grateful remembrance,-for there is no grace in their gifts. It is not to be wondered at that such bequests seem so generally to lack the blessing.

The growing disposition to tax more and more heavily large estates left at death is a cheering indication of the growth of a salutary change in public opinion. The State of Pennsylvania

now takes subject to some exceptions—one tenth of the property left by its citizens. The budget presented in the British Parliament the other day proposes to increase the death duties; and, most significant of all, the new tax is to be a graduated one. Of all forms of taxation this seems the wisest. Men who continue hoarding great sums all their lives, the proper use of which for public ends would work good to the community from which it chiefly came, should be made to feel that the community, in the form of the State, cannot thus be deprived of its proper share. By taxing estates heavily at death the State marks its condemnation of the selfish millionaire's unworthy life.

It is desirable that nations should go much further in this direction. Indeed, it is difficult to set bounds to the share of a rich man's estate which should go at his death to the public through the agency of the State, and by all means such taxes should be graduated, beginning at nothing upon moderate sums to dependents, and increasing rapidly as the amounts swell, until of the millionaire's hoard, as of Shylock's, at least This policy would work powerfully to induce the rich man to attend to the administration of wealth during his life, which is the end that society should always have in view, as being by far the most fruitful for the people. Nor need it be feared that this policy would sap the root of enterprise and render men less anxious to accumulate, for, to the class whose ambition it is to leave great fortunes and be talked about after their death, it will attract even more attention, and,

indeed, be a somewhat nobler ambition, to have enormous sums paid over to the State from their fortunes.

There remains, then, only one mode of using great fortunes; but in this we have the true antidote for the temporary unequal distribution of wealth, the reconciliation of the rich and the poor—a reign of harmony, another ideal, differing, indeed, from that of the Communist in requiring only the further evolution of existing conditions, not the total overthrow of our civilization. It is founded upon the present most intense Individualism, and the race is prepared to put it in practice by degrees whenever it pleases. Under its sway we shall have an ideal State, in which the surplus wealth of the few will become, in the best sense, the property of the many, because administered for the common good; and this wealth, passing through the hands of the few, can be made a much more potent force for the elevation of our race than if distributed in small sums to the people themselves. Even the poorest can be made to see this, and to agree that great sums gathered by some of their fellow-citizens and spent for public purposes, from which the masses reap the principal benefit, are more valuable to them than if scattered among themselves in trifling amounts through the course of many years.

If we consider the results which flow from the Cooper Institute, for instance, to the best portion of the race in New York not possessed of means, and compare these with those which would have ensued for the good of the masses from an

equal sum distributed by Mr. Cooper in his lifetime in the form of wages, which is the highest form of distribution, being for work done and not for charity, we can form some estimate of the possibilities for the improvement of the race which lie embedded in the present law of the accumulation of wealth. Much of this sum, if distributed in small quantities among the people, would have been wasted in the indulgence of appetite, some of it in excess, and it may be doubted whether even the part put to the best use, that of adding to the comforts of the home, would have yielded results for the race, as a race, at all comparable to those which are flowing and are to flow from the Cooper Institute from generation to generation. Let the advocate of violent or radical change ponder well this thought.

We might even go so far as to take another instance—that of Mr. Tilden's bequest of five millions of dollars for a free library in the city of New York; but in referring to this one cannot help saying involuntarily: How much better if Mr. Tilden had devoted the last years of his own life to the proper administration of this immense sum; in which case neither legal contest nor any other cause of delay could have interfered with his aims. But let us assume that Mr. Tilden's millions finally become the means of giving to this city a noble public library, where the treasures of the world contained in books will be open to all forever, without money and without price. Considering the good of that part of the race which congregates in and around Manhattan Island,

would its permanent benefit have been better promoted had these millions been allowed to circulate in small sums through the hands of the masses! Even the most strenuous advocate of Communism must entertain a doubt upon this subject. Most of those who think will probably entertain no doubt what ever.

Poor and restricted are our opportunities in this life, narrow our horizon, our best work most imperfect; but rich men should be thankful for one inestimable boon. They have it in their power during their lives to busy themselves in organizing benefactions from which the masses of their fellows will derive lasting advantage, and thus dignify their own lives. The highest life is probably to be reached, not by such imitation of the life of Christ as Count Tolstoi gives us, but, while animated by Christ's spirit, by recognizing the changed conditions of this age, and adopting modes of expressing this spirit suitable to the changed conditions under which we live, still laboring for the good of our fellows, which was the essence of his life and teaching, but laboring in a different manner.

This, then, is held to be the duty of the man of wealth: To set an example of modest, unostentatious living, shunning display or extravagance; to provide moderately for the legitimate wants of those dependent upon him; and, after doing so, to consider all surplus revenues which come to him simply as trust funds, which he is called upon to administer, and strictly bound as a matter of duty to administer in the

manner which, in his judgment, is best calculated to produce the most beneficial results for the community—the man of wealth thus becoming the mere trustee and agent for his poorer brethren, bringing to their service his superior wisdom, experience, and ability to administer, doing for them better than—they would or could do for themselves.

We are met here with the difficulty of determining what are moderate sums to leave to members of the family; what is modest, unostentatious living; what is the test of extravagance. There must be different standards for different conditions. The answer is that it is as impossible to name exact amounts or actions as it is to define good manners, good taste, or the rules of propriety; but, nevertheless, these are verities, well known, although indefinable. Public sentiment is quick to know and to feel what offends these. So in the case of wealth. The rule in regard to good taste in the dress of men or women applies here. Whatever makes one conspicuous offends the canon. If any family be chiefly known for display, for extravagance in home, table, or equipage, for enormous sums ostentatiously spent in any form upon itself—if these be its chief distinctions, we have no difficulty in estimating its nature or culture. So likewise in regard to the use or abuse of its surplus wealth, or to generous, free handed cooperation in good public uses, or to unabated efforts to accumulate and hoard to the last, or whether they administer or bequeath. The verdict rests with the best and most enlightened public sentiment. The

community will surely judge, and its judgments will not often be wrong.

The best uses to which surplus wealth can be put have already been indicated. Those who would administer wisely must, indeed, be wise; for one of the serious obstacles to the improvement of our race is indiscriminate charity. It were better for mankind that the millions of the rich were thrown into the sea than so spent as to encourage the slothful, the drunken, the unworthy. Of every thousand dollars spent in so-called charity to-day, it is probable that nine hundred and fifty dollars is unwisely spent—so spent, indeed, as to produce the very evils which it hopes to mitigate or cure. A well-known writer of philosophic books admitted the other day that he had given a quarter of a dollar to a man who approached him as he was coming to visit the house of his friend. He knew nothing of the habits of this beggar, knew not the use that would be made of this money, although he had every reason to suspect that it would be spent improperly. This man professed to be a disciple of Herbert Spencer; yet the quarter-dollar given that night will probably work more injury than all the money will do good which its thought less donor will ever be able to give in true charity. He only gratified his own feelings, saved himself from annoyance—and this was probably one of the most selfish and very worst actions of his life, for in all respects he is most worthy.

In bestowing charity, the main consideration: should be to help those who will help themselves; to provide part of the means by which those who desire to improve may do so; to give those who desire to rise the aids by which they may rise; to assist, but rarely or never to do all. Neither the individual nor the race is improved by almsgiving. Those worthy of assistance, except in rare cases, seldom require assistance. The really valuable men of the race never do, except in case of accident or sudden change. Every one has, of course, cases of individuals brought to his own knowledge where temporary assistance can do genuine good, and these he will not overlook. But the amount which can be wisely given by the individual for individuals is necessarily limited by his lack of knowledge of the circumstances connected with each. He is the only true reformer who is as careful and as anxious not to aid the unworthy as he is to aid the worthy, and, perhaps, even more so, for in almsgiving more injury is probably done by rewarding vice than by relieving virtue.

The rich man is thus almost restricted to following the examples of Peter Cooper, Enoch Pratt of Baltimore, Mr. Pratt of Brooklyn, Senator Stanford, and others, who know that the best means of benefiting the community is to place within its reach the ladders upon which the aspiring can rise—free libraries, parks, and means of recreation, by which men are helped in body and mind; works of art, certain to give pleasure and improve the public taste; and public institutions of various kinds, which will improve the general condition of

the people; in this manner returning their surplus wealth to the mass of their fellows in the forms best calculated to do them lasting good.

Thus is the problem of rich and poor to be solved. The laws of accumulation will be left free, the laws of distribution free. Individualism will continue, but the millionaire will be but a trustee for the poor, intrusted for a season with a great part of the increased wealth of the community, but administering it for the community far better than it could or would have done for itself. The best minds will thus have reached a stage in the development of the race in which it is clearly seen that there is no mode of disposing of surplus wealth creditable to thoughtful and earnest men into whose hands it comes, save by using it year by year for the general good. This day already dawns. Men may die without incurring the pity of their fellows, still sharers in great business enterprises from which their capital cannot be or has not been withdrawn, and which is left chiefly at death for public uses; yet the day is not far distant when the man who dies leaving behind him millions of available wealth, which was free for him to administer during life, will pass away "unwept, unhonored, and unsung," no matter to what uses he leaves the dross which he cannot take with him. Of such as these the public verdict will then be: "The man who dies thus rich dies disgraced."

Such, in my opinion, is the true gospel concerning wealth, obedience to which is destined some day to solve the problem

of the rich and the poor, and to bring "Peace on earth, among men good will."

II. THE BEST FIELDS FOR PHILANTHROPY

WHILE "The Gospel of Wealth" has met a cordial reception upon this side of the Atlantic, it is natural that in the motherland it should have attracted more attention, because the older civilization is at present brought more clearly face to face with socialistic questions. The contrast between the classes and the masses, between rich and poor, is not yet quite so sharp in this vast, fertile, and developing continent, with less than twenty persons per square mile, as in crowded little Britain, with fifteen times that number and no territory unoccupied. Perhaps the "Pall Mall Gazette" in its issue of September 5 puts most pithily the objections that have been raised to what the English have been pleased to call "The Gospel of Wealth." 1 I quote: "Great fortunes, says Mr. Carnegie, are great blessings to a community, because such and such things may be done with them. Well, but they are also a great curse, for such and such things are done with them. Mr. Carnegie's preaching, in other words, is altogether vitiated by Mr. Benzon's practice. The gospel of wealth is killed by the acts."

To this the reply seems obvious: the gospel of Christianity is also killed by the acts. The same objection that is urged against the gospel of wealth lies against the commandment, "Thou shalt not steal." It is no argument against a gospel that it is not lived up to, indeed it is an argument in its favor, for a

gospel must be higher than the prevailing standard. It is no argument against a law that it is broken: in that disobedience lies the reason for making and maintaining the law; the law which is never to be broken is never required.

Undoubtedly the most notable incident in regard to "The Gospel of Wealth" is that it was fortunate enough to attract the attention of Mr. Gladstone, and bring forth the following note from him: "I have asked Mr. Lloyd Bryce ["North American Review"] kindly to allow the republication in this l this article appeared originally under the title "Wealth." country of the extremely interesting article on 'Wealth,' by Mr. Andrew Carnegie, which has just appeared in America." This resulted in the publication of the article in several newspapers and periodicals, and an enterprising publisher issued it in pamphlet form, dedicated by permission to Mr. Gladstone.

All this is most encouraging, proving as it does that society is alive to the great issue involved, and is in a receptive mood. Your request, Mr. Editor, that I should continue the subject and point out the best fields for the use of surplus wealth, may be taken as further proof that whether the ideas promulgated are to be received or rejected, they are at least certain to obtain a hearing.

The first article held that there is but one right mode of using enormous fortunes-namely, that the possessors from time to time during their own lives should so administer these as to promote the permanent good to the communities from which

they were gathered. It was held that public sentiment would soon say of one who died possessed of available wealth which he was free to administer: "The man who dies thus rich dies disgraced."

The purpose of this paper is to present some of the best methods of performing this duty of administering surplus wealth for the good of the people. The first requisite for a really good use of wealth by the millionaire who has accepted the gospel which proclaims him only a trustee of the surplus that comes to him, is to take care that the purposes for which he spends it shall not have a degrading pauperizing tendency upon its recipients, but that his trust shall be so administered as to stimulate the best and most aspiring poor of the community to further efforts for their own improvement. It is not the irreclaimably destitute, shiftless, and worthless which it is truly beneficial or truly benevolent for the individual to attempt to reach and improve. For these there exists the refuge provided by the city or the State, where they can be sheltered, fed, clothed, and kept in comfortable existence, and-most important of all-where they can be isolated from the well-doing and industrious poor, who are liable to be demoralized by contact with these unfortunates. One man or woman who succeeds in living comfortably by begging is more dangerous to society, and a greater obstacle to the progress of humanity, than a score of wordy Socialists. The individual administrator of surplus wealth has as his charge the industrious and ambitious; not those who need

everything done for them, but those who, being most anxious and able to help themselves, deserve and will be benefited by help from others and by the extension of their opportunities by the aid of the philanthropic rich.

It is ever to be remembered that one of the chief obstacles which the philanthropist meets in his efforts to do real and permanent good in this world, is the practice of indiscriminate giving and the duty of the millionaire is to resolve to cease giving to objects that are not clearly proved to his satisfaction to be deserving. He must remember Mr. Rice's belief, that nine hundred and fifty out of every thousand dollars bestowed to-day upon so-called charity had better be thrown into the sea. As far as my experience of the wealthy extends, it is unnecessary to urge them to give of their superabundance in charity so called. Greater good for the race is to be achieved by inducing them to cease impulsive and injurious giving. As a rule, the sins of millionaires in this respect are not those of omission, but of commission, because they do not take time to think, and chiefly because it is much easier to give than to refuse. Those who have surplus wealth give millions every year which produce more evil than good, and really retard the progress of the people, because most of the forms in vogue to-day for benefiting mankind only tend to spread among the poor a spirit of dependence upon alms, when what is essential for progress is that they should be inspired to depend upon their own exertions. The miser millionaire who hoards his wealth

does less injury to society than the careless millionaire who squanders his unwisely, even if he does so under cover of the mantle of sacred charity. The man who gives to the individual beggar commits a grave offense, but there are many societies and institutions soliciting alms, to aid which is none the less injurious to the community. These are as corrupting as individual beggars Plutarch's "Morals" contains this lesson: " A beggar asking an alms of a Lacedaemonian, he said:--'Well, should I give thee anything, thou wilt be the greater beggar, for he that first gave thee money made thee idle, and is the cause of this base and dishonorable way of living.' As I know them, there are few millionaires, very few indeed, who are clear of the sin of having made beggars.

Bearing in mind these considerations, let us endeavor to present some of the best uses to which a millionaire can devote the surplus of which he should regard himself as only the trustee.

First. Standing apart by itself there is the founding of a university by men enormously rich, such men as must necessarily be few in any country. Perhaps the greatest sum ever given by an individual for any purpose is the gift of Senator Stanford, who undertakes to establish a complete university upon the Pacific coast, where he amassed his enormous fortune, which is said to involve the expenditure of ten millions of dollars, and upon which he may be expected to bestow twenty millions of his surplus. He is to be envied. A thousand years hence some orator, speaking his praise

upon the then crowded shores of the Pacific, may thus adapt Griffith's eulogy of Wolsey:

In bestowing, madam,
He was most princely. Ever witness for him
This seat of learning, . . .
though unfinished, yet so famous,
So excellent in art, and still so rising,
That Christendom shall ever speak his virtue.

Here is a noble use of wealth. We have many such institutions,-Johns Hopkins, Cornell, Packer, and others,-but most of these have only been bequeathed, and it is impossible to extol any man greatly for simply leaving what he cannot take with him. Cooper and Pratt and Stanford, and others of this class, deserve credit and admiration as much for the time and attention given during their lives as for their expenditure upon their respective monuments.

We cannot think of the Pacific coast without recalling another important work of a different character which has recently been established there -the Lick Observatory. If any millionaire be interested in the ennobling study of astronomy,-and there should be and would be such if they but gave the subject the slightest attention,-here is an example which could well be followed, for the progress made in astronomical instruments and appliances is so great and continuous that every few years a new telescope might be judiciously given to one of the observatories upon this continent, the last being always the largest and the best, and

certain to carry further and further the knowledge of the universe and of our relation to it here upon the earth. As one among many of the good deeds of the late Mr. Thaw of Pittsburg, his constant support of the observatory there may be mentioned. This observatory enabled Professor Langley to make his wonderful discoveries. He is now at the head of the Smithsonian Institution, a worthy successor to Professor Henry. Connected with him was Mr. Braeshier of Pittsburg, whose instruments are in most of the principal observatories of the world. He was a common millwright but Mr. Thaw recognized his genius and was his main support through trying days. This common workman has been made a professor by one of the foremost scientific bodies of the world. In applying part of his surplus in aiding these two now famous men, the millionaire Thaw did a noble work. Their joint labors have brought great credit, and are destined to bring still greater credit, upon their country in every scientific center throughout the world.

It is reserved for very few to found universities, and, indeed, the use for many, or perhaps any, new universities does not exist. More good is henceforth to be accomplished by adding to and extending those in existence. But in this department a wide field remains for the millionaire as distinguished from the Craesus among millionaires. The gifts to Yale University have been many, but there is plenty of room for others. The School of Fine Arts, founded by Mr. Street, the Sheffield Scientific School, endowed by Mr. Sheffield, and Professor

Loomis's fund for the observatory, are fine examples. Mrs. C. J. Osborne's building for reading and recitation is to be regarded with especial pleasure as being the wise gift of a woman. Harvard University has not been forgotten; the Peabody Museum and the halls of Wells, Matthews, and Thayer may be cited. Sever Hall is worthy of special mention, as showing what a genius like Richardson could do with the small sum of a hundred thousand dollars. The Vanderbilt University, at Nashville, Tennessee, may be mentioned as a true product of the gospel of wealth. It was established by the members of the Vanderbilt family during their lives—mark this vital feature, during their lives; for nothing counts for much that is left by a man at his death. Such funds are torn from him, not given by him. If any millionaire be at a loss to know how to accomplish great and indisputable good with his surplus, here is a field which can never be fully occupied, for the wants of our universities increase with the development of the country.

Second. The result of my own study of the question, What is the best gift which can be given to a community? is that a free library occupies the first place, provided the community will accept and maintain it as a public institution, as much a part of the city property as its public schools, and, indeed, an adjunct to these. It is, no doubt, possible that my own personal experience may have led me to value a free library beyond all other forms of beneficence. When I was a working-boy in Pittsburg, Colonel Anderson of Allegheny-a

name I can never speak without feelings of devotional gratitude-opened his little library of four hundred books to boys. Every Saturday afternoon he was in attendance at his house to exchange books. No one but he who has felt it can ever know the intense longing with which the arrival of Saturday was awaited, that a new book might be had. My brother and Mr. Phipps, who have been my principal business partners through life, shared with me Colonel Anderson's precious generosity, and it was when reveling in the treasures which he opened to us that I resolved, if ever wealth came to me, that it should be used to establish free libraries, that other poor boys might receive opportunities similar to those for which we were indebted to that noble man.

Great Britain has been foremost in appreciating the value of free libraries for its people. Parliament passed an act permitting towns and cities to establish and maintain these as municipal institutions; whenever the people of any town or city voted to accept the provisions of the act, the authorities were authorized to tax the community to the extent of one penny in the pound valuation. Most of the towns already have free libraries under this act. Many of these are the gifts of rich men, whose funds have been used for the building, and in some cases for the books also, the communities being required to maintain and to develop the libraries. And to this feature I attribute most of their usefulness. An endowed institution is liable to become the prey of a clique. The public

ceases to take interest in it, or, rather, never acquires interest in it. The rule has been violated which requires the recipients to help themselves. Everything has been done for the community instead of its being only helped to help itself, and good results rarely ensue.

Many free libraries have been established in our country, but none that I know of with such wisdom as the Pratt Library in Baltimore. Mr. Pratt built and presented the library to the city of Baltimore, with the balance of cash handed over; the total cost was one million dollars, upon which he required the city to pay five per cent. per annum, fifty thousand dollars per year, to trustees for the maintenance and development of the library and its branches. During 1888 430,217 books were distributed; 37,196 people of Baltimore are registered upon the books as readers. And it is safe to say that 37,000 frequenters of the Pratt Library are of more value to Baltimore, to the State, and to the country, than all the inert, lazy, and hopelessly poor in the whole nation. And it may further be safely said that, by placing books within the reach of 37,000 aspiring people which they were anxious to obtain, Mr. Pratt has done more for the genuine progress of the people than has been done by all the contributions of all the millionaires and rich people to help those who cannot or will not help themselves. The one wise administrator of his surplus has poured a fertilizing stream upon soil that was ready to receive it and return a hundredfold. The many squanderers have not only poured their streams into sieves

which can never be filled—they have done worse: they have poured them into stagnant sewers that breed the diseases which most afflict the body politic. And this is not all. The million dollars of which Mr. Pratt has made so grand a use are something, but there is something greater still. When the fifth branch library was opened in Baltimore, the speaker said:

Whatever may have been done in these four years, it is my pleasure to acknowledge that much, very much, is due to the earnest interest, the wise counsels, and the practical suggestions of Mr. Pratt. He never seemed to feel that the mere donation of great wealth for the benefit of his fellow-citizens was all that would be asked of him, but he wisely labored to make its application as comprehensive and effective as possible. Thus he constantly lightened burdens that were, at times, very heavy, brought good cheer and bright sunshine when clouds flitted across the sky, and made every officer and employee feel that good work was appreciated, and loyal devotion to duty would receive hearty commendation.

This is the finest picture I have ever seen of any of the millionaire class. As here depicted, Mr. Pratt is the ideal disciple of the gospel of wealth. We need have no fear that the mass of toilers will fail to recognize in such as he their best leaders and their most invaluable allies; for the problem of poverty and wealth, of employer and employed, will be practically solved whenever the time of the few is given, and

their wealth is administered during their lives, for the best good of that portion of the community which has not been burdened with the responsibilities which attend the possession of wealth. We shall have no antagonism between classes when that day comes, for the high and the low, the rich and the poor, shall then indeed be brothers.

No millionaire will go far wrong in his search for one of the best forms for the use of his surplus who chooses to establish a free library in any community that is willing to maintain and develop it. John Bright's words should ring in his ear: "It is impossible for any man to bestow a greater benefit upon a young man than to give him access to books in a free library." Closely allied to the library, and, where possible, attached to it, there should be rooms for an art-gallery and museum, and a hall for such lectures and instruction as are provided in the Cooper Union. The traveler upon the Continent is surprised to find that every town of importance has its art-gallery and museum; these may be large or small, but each has a receptacle for the treasures of the locality, in which are constantly being placed valuable gifts and bequests. The Free Library and Art Gallery of Birmingham are remarkable among such institutions, and every now and then a rich man adds to their value by presenting books, fine pictures, or other works of art. All that our cities require, to begin with, is a proper fire-proof building. Their citizens who travel will send to it rare and costly things from every quarter of the globe they visit, while those who remain at

home will give or bequeath to it of their treasures. In this way collections will grow until our cities will ultimately be able to boast of permanent exhibitions from which their own citizens will derive incalculable benefit, and which they will be proud to show to visitors. In the Metropolitan Museum of Art in New York we have made an excellent beginning. Here is another avenue for the proper use of surplus wealth.

Third. We have another most important department in which great sums can be worthily used-the founding or extension of hospitals, medical colleges, laboratories, and other institutions connected with the alleviation of human suffering, and especially with the prevention rather than with the cure of human ills. There is no danger in pauperizing a community in giving for such purposes, because such institutions relieve temporary ailments or shelter only those who are hopeless invalids. What better gift than a hospital can be given to a community that is without one -the gift being conditioned upon its proper maintenance by the community in its corporate capacity. If hospital accommodation already exists, no better method for using surplus wealth can be found than in making additions to it. The late Mr. Vanderbilt's gift of half a million dollars to the Medical Department of Columbia College for a chemical laboratory was one of the wisest possible uses of wealth. It strikes at the prevention of disease by penetrating into its causes. Several others have established such laboratories, but the need for them is still great.

If there be a millionaire in the land who is at a loss what to do with the surplus that has been committed to him as trustee, let him investigate the good that is flowing from these chemical laboratories. No medical college is complete without its laboratory. As with universities, so with medical colleges: it is not new institutions that are required, but additional means for the more thorough equipment of those that exist. The forms that benefactions to these may wisely take are numerous, but probably none is more useful than that adopted by Mr. Osborne when he built a school for training female nurses at Bellevue College. If from all gifts there flows one half of the good that comes from this wise use of a millionaire's surplus, the most exacting may well be satisfied. Only those who have passed through a lingering and dangerous illness can rate at their true value the care, skill, and attendance of trained female nurses. Their employment as nurses has enlarged the sphere and influence of woman. It is not to be wondered at that a senator of the United States, and a physician distinguished in this country for having received the highest distinctions abroad, should recently have found their wives in this class.

Fourth. In the very front rank of benefactions public parks should be placed, always provided that the community undertakes to maintain, beautify, and preserve them inviolate. No more useful or more beautiful monument can be left by any man than a park for the city in which he was born or in which he has long lived, nor can the community

pay a more graceful tribute to the citizen who presents it than to give his name to the gift. Mrs. Schenley's gift last month of a large park to the city of Pittsburg deserves to be noted. This lady, although born in Pittsburg, married an English gentleman while yet in her teens. It is forty years and more since she took up her residence in London among the titled and the wealthy of the world's metropolis, but still she turns to the home of her childhood and by means of Schenley Park links her name with it forever. A noble use this of great wealth by one who thus becomes her own administrator. If a park be already provided, there is still room for many judicious gifts in connection with it. Mr. Phipps of Allegheny has given conservatories to the park there, which are visited by many every day of the week, and crowded by thousands of working-people every Sunday for, with rare wisdom, he has stipulated as a condition of the gift that the conservatories shall be open on Sundays. The result of his experiment has been so gratifying that he finds himself justified in adding to them from his surplus, as he is doing largely this year. To lovers of flowers among the wealthy I commend a study of what is possible for them to do in the line of Mr. Phipps's example; and may they please note that Mr. Phipps is a wise as well as a liberal giver, for he requires the city to maintain these conservatories, and thus secures for them forever the public ownership, the public interest, and the public criticism of their management. Had he undertaken to manage and maintain them, it is probable that popular interest in the gift would never have been awakened.

The parks and pleasure-grounds of small towns throughout Europe are not less surprising than their libraries, museums, and art-galleries. I saw nothing more pleasing during my recent travels than the hill at Bergen, in Norway. It has been converted into one of the most picturesque of pleasure-grounds; fountains, cascades, waterfalls, delightful arbors, fine terraces, and statues adorn what was before a barren mountain-side. Here is a field worthy of study by the millionaire who would confer a lasting benefit upon his fellows. Another beautiful instance of the right use of wealth in the direction of making cities more and more attractive is to be found in Dresden. The owner of the leading paper there bequeathed its revenues forever to the city, to be used in beautifying it. An art committee decides, from time to time, what new artistic feature is to be introduced, or what hideous feature is to be changed, and as the revenues accrue, they are expended in this direction. Thus, through the gift of this patriotic newspaper proprietor his native city of Dresden is fast becoming one of the most artistic places of residence in the whole world. A work having been completed, it devolves upon the city to maintain it forever. May I be excused if I commend to our millionaire newspaper proprietors the example of their colleague in the capital of Saxony.

Scarcely a city of any magnitude in the older countries is without many structures and features of great beauty. Much has been spent upon ornament, decoration, and architectural effect. We are still far behind in these things upon this side of

the Atlantic. Our Republic is great in some things-in material development unrivaled; but let us always remember that in art and in the finer touches we have scarcely yet taken a place. Had the exquisite Memorial Arch recently erected temporarily in New York been shown in Dresden, the art committee there would probably have been enabled, from the revenue of the newspaper given by its owner for just such purposes, to order its permanent erection to adorn the city forever.

While the bestowal of a park upon a community will be universally approved as one of the best uses for surplus wealth, in embracing such additions to it as conservatories, or in advocating the building of memorial arches and works of adornment, it is probable that many will think I go too far, and consider these somewhat fanciful. The material good to flow from them may not be so directly visible; but let not any practical mind, intent only upon material good, depreciate the value of wealth given for these or for kindred esthetic purposes as being useless as far as the mass of the people and their needs are concerned. As with libraries and museums, so with these more distinctively artistic works: they perform their greatest when they reach the best of the masses of the people. It is better to reach and touch the sentiment for beauty in the naturally bright minds of this class than to pander to those incapable of being so touched. For what the improver of the race must endeavor is to reach those who have the divine spark ever so feebly developed, that it may be

strengthened and grow. I Popular subscriptions have (Monument), and two other me- accomplished this result in the morial arches have been designed case referred to (the Washington and are to be erected here.-ED

For my part, I think Mr. Phipps put his money to better use in giving the working-men of Allegheny conservatories filled with beautiful flowers, orchids, and aquatic plants, which they, with their wives and children, can enjoy in their spare hours, and upon which they can feed their love for the beautiful, than if he had given his surplus money to furnish them with bread; for those in health who cannot earn their bread are scarcely worth considering by the individual giver, the care of such being the duty of the State. The man who erects in a city a conservatory or a truly artistia arch, statue, or fountain, makes a wise use of his surplus. " Man does not live by bread alone."

Fifth. We have another good use for surplus wealth in providing our cities with halls suitable for meetings of all kinds, and for concerts of elevating music. Our cities are rarely possessed of halls for these purposes, being in this respect also very far behind European cities. Springer Hall, in Cincinnati, a valuable addition to the city, was largely the gift of Mr. Springer, who was not content to bequeath funds from his estate at death, but gave during his life, and, in addition, gave- what was equally important-his time and business ability to insure the successful results which have been achieved. The gift of a hall to any city lacking one is an

excellent use for surplus wealth for the good of a community. The reason why the people have only one instructive and elevating, or even amusing, entertainment when a dozen would be highly beneficial, is that the rent of a hall, even when a suitable hall exists, which is rare, is so great as to prevent managers from running the risk of financial failure. If every city in our land owned a hall which could be given or rented for a small sum for such gatherings as a committee or the mayor of the city judged advantageous, the people could be furnished with proper lectures, amusements, and concerts at an exceedingly small cost. The town halls of European cities, many of which have organs, are of inestimable value to the people, utilized as they are in the manner suggested. Let no one underrate the influence of entertainments of an elevating or even of an amusing character, for these do much to make the lives of the people happier and their natures better. If any millionaire born in a small village which has now become a great city is prompted in the day of his success to do something for his birthplace with part of his surplus, his grateful remembrance cannot take a form more useful than that of a public hall with an organ, provided the city agrees to maintain and use it.

Sixth. In another respect we are still much behind Europe. A form of beneficence which is not uncommon there is providing swimming-baths for the people. The donors of these have been wise enough to require the city benefited to maintain them at its own expense, and as proof of the

contention that everything should never be done for any one or for any community, but that the recipients should invariably be called upon to do a part, it is significant that it is found essential for the popular success of these healthful establishments to exact a nominal charge for their use. In many cities, however, the school-children are admitted free at fixed hours upon certain days; different hours being fixed for the boys and the girls to use the great swimming-baths, hours or days being also fixed for the use of these baths by women. In addition to the highly beneficial effect of these institutions upon the public health in inland cities, the young of both sexes are thus taught to swim. Swimming clubs are organized, and matches are frequent, at which medals and prizes are given. The reports published by the various swimming-bath establishments throughout Great Britain are filled with instances of lives saved because those who fortunately escaped shipwreck had been taught to swim in the baths; and not a few instances are given in which the pupils of certain bathing establishments have saved the lives of others. If any disciple of the gospel of wealth gives his favorite city large swimming and private baths, provided the municipality undertakes their management as a city affair, he will never be called to account for an improper use of the funds intrusted to him.

Seventh. Churches as fields for the use of surplus wealth have purposely been reserved until the last, because, these being sectarian, every man will be governed in his action in

regard to them by his own attachments; therefore gifts to churches, it may be said, are not, in one sense, gifts to the community at large, but to special classes. Nevertheless every millionaire may know of a district where the little cheap, uncomfortable, and altogether unworthy wooden structure stands at the cross-roads, in which the whole neighborhood gathers on Sunday, and which, independently of the form of the doctrines taught, is the center of social life and source of neighborly feeling. The administrator of wealth makes a good use of a part of his surplus if he replaces that building with a permanent structure of brick, stone, or granite, up whose sides the honeysuckle and columbine may climb, and from whose tower the sweet-tolling bell may sound. The millionaire should not figure how cheaply this structure can be built, but how perfect it can be made. If he has the money, it should be made a gem, for the educating influence of a pure and noble specimen of architecture, built, as the pyramids were built, to stand for ages, is not to be measured by dollars. Every farmer's home, heart and mind in the district will be influenced by the beauty and grandeur of the church; and many a bright boy, gazing enraptured upon its richly colored windows and entranced by the celestial voice of the organ, will there receive his first message from and in spirit be carried away to the beautiful and enchanting realm which lies far from the material and prosaic conditions which surround him in this workaday world-a real world, this new realm, vague and undefined though its boundaries be. Once within its magic circle, its denizens live there an

inner life more precious than the external, and all their days and all their ways, their triumphs and their trials, and all they see, and all they hear, and all they think, and all they do, are hallowed by the radiance which shines from afar upon this inner life, glorifying everything, and keeping all right within. But having given the building, the donor should stop there; the support of the church should be upon its own people. There is not much genuine religion in the congregation or much good to come from the church which is not supported at home.

Many other avenues for the wise expenditure of surplus wealth might be indicated. I enumerate but a few-a very few-of the many fields which are open, and only those in which great or considerable sums can be judiciously used. It is not the privilege, however, of millionaires alone to work for or aid measures which are certain to benefit the community. Every one who has but a small surplus above his moderate wants may share this privilege with his richer brothers, and those without surplus can give at least a part of their time, which is usually as important as funds, and often more so.

It is not expected, neither is it desirable, that there should be general concurrence as to the best possible use of surplus wealth. For different men and different localities there are different uses. What commends itself most highly to the judgment of the administrator is the best use for him, for his heart should be in the work. It is as important in administering wealth as it is in any other branch of a man's

work that he should be enthusiastically devoted to it and feel that in the field selected his work lies.

Besides this, there is room and need for all kinds of wise benefactions for the common weal. The man who builds a university, library, or laboratory performs no more useful work than he who elects to devote himself and his surplus means to the adornment of a park, the gathering together of a collection of pictures for the public, or the building of a memorial arch. These are all true laborers in the vineyard. The only point required by the gospel of wealth is that the surplus which accrues from time to time in the hands of a man should be administered by him in his own lifetime for that purpose which is seen by him, as trustee, to be best for the good of the people. To leave at death what he cannot take away, and place upon others the burden of the work which it was his own duty to perform, is to do nothing worthy. This requires no sacrifice, nor any sense of duty to his fellows.

Time was when the words concerning the rich man entering the kingdom of heaven were regarded as a hard saying. To-day, when all questions are probed to the bottom and the standards of faith receive the most liberal interpretations the startling verse has been relegated to the rear to await the next kindly revision as one of those things which cannot be quite understood, but which, meanwhile, it is carefully to be noted, are not to be understood literally. But is it so very improbable that the next stage of thought is to restore the doctrine in all its pristine purity and force, as being in perfect

harmony with sound ideas upon the subject of wealth and poverty, the rich and the poor, and the contrasts everywhere seen and deplored? In Christ's day, it is evident, reformers were against the wealthy. It is none the less evident that we are fast recurring to that position to-day; and there will be nothing to surprise the student of sociological development if society should soon approve the text which has caused so much anxiety: "It is easier for a camel to enter the eye of a needle than for a rich man to enter the kingdom of heaven." Even if the needle were the small casement at the gates, the words betoken serious difficulty for the rich. It will be but a step for the theologian from the doctrine that he who dies rich dies disgraced, to that which brings upon the man punishment or deprivation hereafter.

The gospel of wealth but echoes Christ's words. It calls upon the millionaire to sell all that he hath and give it in the highest and best form to the poor by administering his estate himself for the good of his fellows, before he is called upon to lie down and rest upon the bosom of Mother Earth. So doing, he will approach his end no longer the ignoble hoarder of useless millions; poor, very poor indeed, in money, but rich, very rich, twenty times a millionaire still, in the affection, gratitude, and admiration of his fellow-men, and sweeter far-soothed and sustained by the still, small voice within, which, whispering, tells him that, because he has lived, perhaps one small part of the great world has been

bettered just a little. This much is sure: against such riches as these no bar will be found at the gates of Paradise.

Reflection Questions

In this reading, Mr. Carnegie implies that a country founded on capitalistic principles is more likely to be benevolent than a country not founded on these same principles. In what ways might capitalistic principles actually contribute to the need for philanthropy as well as for the relief of those needs by those who utilize these principles in their business affairs?

If one were planning to distribute his/her wealth to philanthropic endeavors, in what ways might it be more beneficial to do so during his/her lifetime, as suggested by Mr. Carnegie, as opposed to doing so posthumously? Are there any good reasons for making provisions for the distribution of ones funds only after his/her death?

Mr. Carnegie proclaimed "...out of every \$1,000 spent in charity, \$950.00 of that amount was probably unwisely-spent in such a way as to produce the very evils which it was intended to mitigate." Mr. Carnegie adds, "...in almsgiving more injury is probably done by rewarding vice than by relieving virtue?" Why might Mr. Carnegie have expressed this feeling? Why might the word "probably" be important when considering the truth of these two proclamations? How might one go about spending charitable money more efficiently and effectively?

Mr. Carnegie believed that founding and/or funding universities, libraries, hospitals, public parks, city halls, swimming pools, and churches were a better use of charitable funds than providing individuals with 'their daily bread'. What might be some of the pros and cons of this approach to giving?

Criticism is often directed at those who contributed large sums of money for public purposes intended to benefit the masses, especially if those who contribute receive some sort of public recognition for their contributions, i.e. having a building or park named after them, etc.. In what ways might this recognition promote philanthropy among the masses? How might it deter the masses from participating in similar types of philanthropy?

SECTION 2

FOUR FREEDOMS SPEECH

By FRANKLIN D. ROOSEVELT



Mr. President, Mr. Speaker, Members of the Seventy-seventh Congress:

I address you, the Members of the Seventy-seventh Congress, at a moment unprecedented in the history of the Union. I use the word "unprecedented," because at no previous time has American security been as seriously threatened from without as it is today.

Since the permanent formation of our Government under the Constitution, in 1789, most of the periods of crisis in our history have related to our domestic affairs. Fortunately, only

one of these--the four-year War Between the States--ever threatened our national unity. Today, thank God, one hundred and thirty million Americans, in forty-eight States, have forgotten points of the compass in our national unity.

It is true that prior to 1914 the United States often had been disturbed by events in other Continents. We had even engaged in two wars with European nations and in a number of undeclared wars in the West Indies, in the Mediterranean and in the Pacific for the maintenance of American rights and for the principles of peaceful commerce. But in no case had a serious threat been raised against our national safety or our continued independence.

What I seek to convey is the historic truth that the United States as a nation has at all times maintained clear, definite opposition, to any attempt to lock us in behind an ancient Chinese wall while the procession of civilization went past. Today, thinking of our children and of their children, we oppose enforced isolation for ourselves or for any other part of the Americas.

That determination of ours, extending over all these years, was proved, for example, during the quarter century of wars following the French Revolution.

While the Napoleonic struggles did threaten interests of the United States because of the French foothold in the West Indies and in Louisiana, and while we engaged in the War of 1812 to vindicate our right to peaceful trade, it is

nevertheless clear that neither France nor Great Britain, nor any other nation, was aiming at domination of the whole world.

In like fashion from 1815 to 1914-- ninety-nine years-- no single war in Europe or in Asia constituted a real threat against our future or against the future of any other American nation.

Except in the Maximilian interlude in Mexico, no foreign power sought to establish itself in this Hemisphere; and the strength of the British fleet in the Atlantic has been a friendly strength. It is still a friendly strength.

Even when the World War broke out in 1914, it seemed to contain only small threat of danger to our own American future. But, as time went on, the American people began to visualize what the downfall of democratic nations might mean to our own democracy.

We need not overemphasize imperfections in the Peace of Versailles. We need not harp on failure of the democracies to deal with problems of world reconstruction. We should remember that the Peace of 1919 was far less unjust than the kind of "pacification" which began even before Munich, and which is being carried on under the new order of tyranny that seeks to spread over every continent today. The American people have unalterably set their faces against that tyranny.

Every realist knows that the democratic way of life is at this moment being' directly assailed in every part of the world-- assailed either by arms, or by secret spreading of poisonous propaganda by those who seek to destroy unity and promote discord in nations that are still at peace.

During sixteen long months this assault has blotted out the whole pattern of democratic life in an appalling number of independent nations, great and small. The assailants are still on the march, threatening other nations, great and small.

Therefore, as your President, performing my constitutional duty to "give to the Congress information of the state of the Union," I find it, unhappily, necessary to report that the future and the safety of our country and of our democracy are overwhelmingly involved in events far beyond our borders.

Armed defense of democratic existence is now being gallantly waged in four continents. If that defense fails, all the population and all the resources of Europe, Asia, Africa and Australasia will be dominated by the conquerors. Let us remember that the total of those populations and their resources in those four continents greatly exceeds the sum total of the population and the resources of the whole of the Western Hemisphere-many times over.

In times like these it is immature--and incidentally, untrue-- for anybody to brag that an unprepared America, single-

handed, and with one hand tied behind its back, can hold off the whole world.

No realistic American can expect from a dictator's peace international generosity, or return of true independence, or world disarmament, or freedom of expression, or freedom of religion -or even good business.

Such a peace would bring no security for us or for our neighbors. "Those, who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety."

As a nation, we may take pride in the fact that we are softhearted; but we cannot afford to be soft-headed.

We must always be wary of those who with sounding brass and a tinkling cymbal preach the "ism" of appeasement.

We must especially beware of that small group of selfish men who would clip the wings of the American eagle in order to feather their own nests.

I have recently pointed out how quickly the tempo of modern warfare could bring into our very midst the physical attack which we must eventually expect if the dictator nations win this war.

There is much loose talk of our immunity from immediate and direct invasion from across the seas. Obviously, as long as the British Navy retains its power, no such danger exists. Even if there were no British Navy, it is not probable that

any enemy would be stupid enough to attack us by landing troops in the United States from across thousands of miles of ocean, until it had acquired strategic bases from which to operate.

But we learn much from the lessons of the past years in Europe-particularly the lesson of Norway, whose essential seaports were captured by treachery and surprise built up over a series of years.

The first phase of the invasion of this Hemisphere would not be the landing of regular troops. The necessary strategic points would be occupied by secret agents and their dupes--and great numbers of them are already here, and in Latin America.

As long as the aggressor nations maintain the offensive, they-not we--will choose the time and the place and the method of their attack.

That is why the future of all the American Republics is today in serious danger.

That is why this Annual Message to the Congress is unique in our history.

That is why every member of the Executive Branch of the Government and every member of the Congress faces great responsibility and great accountability.

The need of the moment is that our actions and our policy should be devoted primarily-almost exclusively--to meeting

this foreign peril. For all our domestic problems are now a part of the great emergency.

Just as our national policy in internal affairs has been based upon a decent respect for the rights and the dignity of all our fellow men within our gates, so our national policy in foreign affairs has been based on a decent respect for the rights and dignity of all nations, large and small. And the justice of morality must and will win in the end.

Our national policy is this:

First, by an impressive expression of the public will and without regard to partisanship, we are committed to all-inclusive national defense.

Second, by an impressive expression of the public will and without regard to partisanship, we are committed to full support of all those resolute peoples, everywhere, who are resisting aggression and are thereby keeping war away from our Hemisphere. By this support, we express our determination that the democratic cause shall prevail; and we strengthen the defense and the security of our own nation.

Third, by an impressive expression of the public will and without regard to partisanship, we are committed to the proposition that principles of morality and considerations for our own security will never permit us to acquiesce in a peace dictated by aggressors and sponsored by appeasers. We know that enduring peace cannot be bought at the cost of other people's freedom.

In the recent national election there was no substantial difference between the two great parties in respect to that national policy. No issue was fought out on this line before the American electorate. Today it is abundantly evident that American citizens everywhere are demanding and supporting speedy and complete action in recognition of obvious danger. Therefore, the immediate need is a swift and driving increase in our armament production.

Leaders of industry and labor have responded to our summons. Goals of speed have been set. In some cases these goals are being reached ahead of time; in some cases we are on schedule; in other cases there are slight but not serious delays; and in some cases--and I am sorry to say very important cases--we are all concerned by the slowness of the accomplishment of our plans.

The Army and Navy, however, have made substantial progress during the past year. Actual experience is improving and speeding up our methods of production with every passing day. And today's best is not good enough for tomorrow.

I am not satisfied with the progress thus far made. The men in charge of the program represent the best in training, in ability, and in patriotism. They are not satisfied with the progress thus far made. None of us will be satisfied until the job is done.

No matter whether the original goal was set too high or too low, our objective is quicker and better results. To give you two illustrations:

We are behind schedule in turning out finished airplanes; we are working day and night to solve the innumerable problems and to catch up.

We are ahead of schedule in building warships but we are working to get even further ahead of that schedule.

To change a whole nation from a basis of peacetime production of implements of peace to a basis of wartime production of implements of war is no small task. And the greatest difficulty comes at the beginning of the program, when new tools, new plant facilities, new assembly lines, and new ship ways must first be constructed before the actual materiel begins to flow steadily and speedily from them.

The Congress, of course, must rightly keep itself informed at all times of the progress of the program. However, there is certain information, as the Congress itself will readily recognize, which, in the interests of our own security and those of the nations that we are supporting, must of needs be kept in confidence.

New circumstances are constantly begetting new needs for our safety. I shall ask this Congress for greatly increased new appropriations and authorizations to carry on what we have begun.

I also ask this Congress for authority and for funds sufficient to manufacture additional munitions and war supplies of many kinds, to be turned over to those nations which are now in actual war with aggressor nations.

Our most useful and immediate role is to act as an arsenal for them as well as for ourselves. They do not need man power, but they do need billions of dollars worth of the weapons of defense.

The time is near when they will not be able to pay for them all in ready cash. We cannot, and we will not, tell them that they must surrender, merely because of present inability to pay for the weapons which we know they must have.

I do not recommend that we make them a loan of dollars with which to pay for these weapons--a loan to be repaid in dollars.

I recommend that we make it possible for those nations to continue to obtain war materials in the United States, fitting their orders into our own program. Nearly all their materiel would, if the time ever came, be useful for our own defense.

Taking counsel of expert military and naval authorities, considering what is best for our own security, we are free to decide how much should be kept here and how much should be sent abroad to our friends who by their determined and heroic resistance are giving us time in which to make ready our own defense.

For what we send abroad, we shall be repaid within a reasonable time following the close of hostilities, in similar materials, or, at our option, in other goods of many kinds, which they can produce and which we need.

Let us say to the democracies: "We Americans are vitally concerned in your defense of freedom. We are putting forth our energies, our resources and our organizing powers to give you the strength to regain and maintain a free world. We shall send you, in ever-increasing numbers, ships, planes, tanks, guns. This is our purpose and our pledge."

In fulfillment of this purpose we will not be intimidated by the threats of dictators that they will regard as a breach of international law or as an act of war our aid to the democracies which dare to resist their aggression. Such aid is not an act of war, even if a dictator should unilaterally proclaim it so to be.

When the dictators, if the dictators, are ready to make war upon us, they will not wait for an act of war on our part. They did not wait for Norway or Belgium or the Netherlands to commit an act of war.

Their only interest is in a new one-way international law, which lacks mutuality in its observance, and, therefore, becomes an instrument of oppression.

The happiness of future generations of Americans may well depend upon how effective and how immediate we can make our aid felt. No one can tell the exact character of the

emergency situations that we may be called upon to meet. The Nation's hands must not be tied when the Nation's life is in danger.

We must all prepare to make the sacrifices that the emergency-almost as serious as war itself--demands. Whatever stands in the way of speed and efficiency in defense preparations must give way to the national need.

A free nation has the right to expect full cooperation from all groups. A free nation has the right to look to the leaders of business, of labor, and of agriculture to take the lead in stimulating effort, not among other groups but within their own groups.

The best way of dealing with the few slackers or trouble makers in our midst is, first, to shame them by patriotic example, and, if that fails, to use the sovereignty of Government to save Government.

As men do not live by bread alone, they do not fight by armaments alone. Those who man our defenses, and those behind them who build our defenses, must have the stamina and the courage which come from unshakable belief in the manner of life which they are defending. The mighty action that we are calling for cannot be based on a disregard of all things worth fighting for.

The Nation takes great satisfaction and much strength from the things which have been done to make its people conscious of their individual stake in the preservation of

democratic life in America. Those things have toughened the fibre of our people, have renewed their faith and strengthened their devotion to the institutions we make ready to protect.

Certainly this is no time for any of us to stop thinking about the social and economic problems which are the root cause of the social revolution which is today a supreme factor in the world.

For there is nothing mysterious about the foundations of a healthy and strong democracy. The basic things expected by our people of their political and economic systems are simple. They are:

Equality of opportunity for youth and for others.

Jobs for those who can work.

Security for those who need it.

The ending of special privilege for the few.

The preservation of civil liberties for all.

The enjoyment of the fruits of scientific progress in a wider and constantly rising standard of living.

These are the simple, basic things that must never be lost sight of in the turmoil and unbelievable complexity of our modern world. The inner and abiding strength of our economic and political systems is dependent upon the degree to which they fulfill these expectations.

Many subjects connected with our social economy call for immediate improvement.

As examples:

We should bring more citizens under the coverage of old-age pensions and unemployment insurance.

We should widen the opportunities for adequate medical care.

We should plan a better system by which persons deserving or needing gainful employment may obtain it.

I have called for personal sacrifice. I am assured of the willingness of almost all Americans to respond to that call.

A part of the sacrifice means the payment of more money in taxes. In my Budget Message I shall recommend that a greater portion of this great defense program be paid for from taxation than we are paying today. No person should try, or be allowed, to get rich out of this program; and the principle of tax payments in accordance with ability to pay should be constantly before our eyes to guide our legislation.

If the Congress maintains these principles, the voters, putting patriotism ahead of pocketbooks, will give you their applause.

In the future days, which we seek to make secure, we look forward to a world founded upon four essential human freedoms.

The first is freedom of speech and expression--everywhere in the world.

The second is freedom of every person to worship God in his own way--everywhere in the world.

The third is freedom from want--which, translated into world terms, means economic understandings which will secure to every nation a healthy peacetime life for its inhabitants--everywhere in the world.

The fourth is freedom from fear--which, translated into world terms, means a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor--anywhere in the world.



That is no vision of a distant millennium. It is a definite basis for a kind of world attainable in our own time and generation. That kind of world is the very antithesis of the so-called new order of tyranny which the dictators seek to create with the crash of a bomb.

To that new order we oppose the greater conception--the moral order. A good society is able to face schemes of world domination and foreign revolutions alike without fear.

Since the beginning of our American history, we have been engaged in change -- in a perpetual peaceful revolution -- a revolution which goes on steadily, quietly adjusting itself to

changing conditions--without the concentration camp or the quick-lime in the ditch. The world order which we seek is the cooperation of free countries, working together in a friendly, civilized society.

This nation has placed its destiny in the hands and heads and hearts of its millions of free men and women; and its faith in freedom under the guidance of God. Freedom means the supremacy of human rights everywhere. Our support goes to those who struggle to gain those rights or keep them. Our strength is our unity of purpose. To that high concept there can be no end save victory.

SECTION 3

Norman Rockwell's Depiction of the Four Freedoms

Rockwell worked on these paintings for 6 months in 1942. He lost 15 pounds and many nights sleep. When he was finished, he had created some of the greatest masterpieces of his entire career.

Unfortunately, the United States government wartime agency refused to sponsor these works, so he turned to his old friends, The Saturday Evening Post and Curtis Publishing.

The four paintings were published in The Saturday Evening Post on February 20, February 27, March 6 and March 13 in 1943. The paintings were accompanied in the magazine by matching essays on the Four Freedoms. The most famous is Freedom from Fear. Norman Rockwell's Four Freedoms made history in the publishing world. Response to the publication was so strong that over 25,000 readers ordered prints from the magazine.



SECTION 4

ADDRESS TO THE YOUNG DEMOCRATIC CLUBS OF AMERICA

By FRANKLIN D. ROOSEVELT

Radio Address to the Young Democratic Clubs of America,
August 24, 1935.

I am deeply sorry that I have had to forego the opportunity of accompanying my old friend, Senator Ryan Duffy, to Milwaukee to be with you tonight, as I had planned. But the closing days of a far-reaching and memorable Session of the Congress of the United States keep me here in Washington.

You doubtless know everything that I am going to say to you, because starting as early as last Monday certain special

writers of a few papers have given you a complete outline of my remarks. I have been interested and somewhat amused by these clairvoyants who put on the front page many days ago this speech, which, because of pressure of time, I could only think out and dictate this very morning.

Whatever his party affiliations may be, the President of the United States, in addressing the youth of the country—even when speaking to the younger citizens of his own party—should speak as President of the whole people. It is true that the Presidency carries with it, for the time being, the leadership of a political party as well. But the Presidency carries with it a far higher obligation than this—the duty of analyzing and setting forth national needs and ideals which transcend and cut across all lines of party affiliation.

Therefore, what I am about to say to you, members of the Young Democratic Clubs, is precisely—word for word—what I would say were I addressing a convention of the youth of the Republican Party.

A man of my generation comes to the councils of the younger warriors in a very different spirit from that in which the older men addressed the youth of my time. Party or professional leaders who talked to us twenty-five or thirty years ago almost inevitably spoke in a mood of achievement and of exultation. They addressed us with the air of those who had won the secret of success for themselves and of permanence of achievement for their country for all generations to come. They assumed that there was a

guarantee of final accomplishment for the people of this country and that the grim specter of insecurity and want among the great masses would never haunt this land of plenty as it had widely visited other portions of the world. And so the elders of that day used to tell us, in effect, that the job of youth was merely to copy them and thereby to preserve the great things they had won for us.

I have no desire to underestimate the achievements of the past. We have no right to speak slightingly of the heritage, spiritual and material, that comes down to us. There are lessons that it teaches that we abandon only at our own peril. "Hold fast to that which is permanently true" is still a counsel of wisdom.

While my elders were talking to me about the perfection of America, I did not know then of the lack of opportunity, the lack of education, the lack of many of the essential needs of civilization which existed among millions of our people who lived not alone in the slums of the great cities and in the forgotten corners of rural America but even under the very noses of those who had the advantages and the power of Government of those days.

I say from my heart that no man of my generation has any business to address youth unless he comes to that task not in a spirit of exultation, but in a spirit of humility. I cannot expect you of a newer generation to believe me, of an older generation, if I do not frankly acknowledge that had the generation that brought you into the world been wiser and

more provident and more unselfish, you would have been saved from needless difficult problems and needless pain and suffering. We may not have failed you in good intentions but we have certainly not been adequate in results. Your task, therefore, is not only to maintain the best in your heritage, but to labor to lift from the shoulders of the American people some of the burdens that the mistakes of a past generation have placed there.

There was a time when the formula for success was the simple admonition to have a stout heart and willing hands. A great, new country lay open. When life became hard in one place it was necessary only to move on to another. But circumstances have changed all that. Today we can no longer escape into virgin territory: we must master our environment. The youth of this generation finds that the old frontier is occupied, but that science and invention and economic evolution have opened up a new frontier—one not based on geography but on the resourcefulness of men and women applied to the old frontier.

The cruel suffering of the recent depression has taught us unforgettable lessons. We have been compelled by stark necessity to unlearn the too comfortable superstition that the American soil was mystically blessed with every kind of immunity to grave economic maladjustments, and that the American spirit of individualism—all alone and unhelped by the cooperative efforts of Government—could withstand and repel every form of economic disarrangement or crisis.

The severity of the recent depression, toward which we had been heading for a whole generation, has taught us that no economic or social class in the community is so richly endowed and so independent of the general community that it can safeguard its own security, let alone assure security for the general community.

The very objectives of young people have changed. In the older days a great financial fortune was too often the goal. To rule through wealth, or through the power of wealth, fired our imagination. This was the dream of the golden ladder—each individual for himself.

It is my firm belief that the newer generation of America has a different dream. You place emphasis on sufficiency of life, rather than on a plethora of riches. You think of the security for yourself and your family that will give you good health, good food, good education, good working conditions, and the opportunity for normal recreation and occasional travel. Your advancement, you hope, is along a broad highway on which thousands of your fellow men and women are advancing with you.

You and I know that this modern economic world of ours is governed by rules and regulations vastly more complex than those laid down in the days of Adam Smith or John Stuart Mill. They faced simpler mechanical processes and social needs. It is worth remembering, for example, that the business corporation, as we know it, did not exist in the days of Washington and Hamilton and Jefferson. Private

businesses then were conducted solely by individuals or by partnerships in which every member was immediately and wholly responsible for success or failure. Facts are relentless. We must adjust our ideas to the facts of today.

Our concepts of the regulation of money and credit and industrial competition, of the relation of employer and employee, created for the old civilization, are being modified to save our economic structure from confusion, destruction and paralysis. The rules that governed the relationship between an employer and employee in the blacksmith's shop in the days of Washington cannot, of necessity, govern the relationship between the fifty thousand employees of a great corporation and the infinitely complex and diffused ownership of that corporation. If fifty thousand employees spoke with fifty thousand voices, there would be a modern Tower of Babel. That is why we insist on their right to choose their representatives to bargain collectively in their behalf with their employer. In the case of the employees, every individual employee will know in his daily work whether he is adequately represented or not. In the case of the hundreds of thousands of stockholders in the present-day ownership of great corporations, however, their knowledge of the success of the management is based too often solely on a financial balance sheet. Things may go wrong in the management without their being aware of it for a year, or for many years to come. Without their day-to-day knowledge they may be exploited and their investments jeopardized.

Therefore, we have come to the recognition of the need of simple but adequate public protection for the rights of the investing public.

A rudimentary concept of credit control appropriate for financing the economic life of a Nation of 3,000,000 people can hardly be urged as a means of directing and protecting the welfare of our twentieth-century industrialism. The simple banking rules of Hamilton's day, when all the transactions of a fair-sized bank could be kept in the neat penmanship of a clerk in one large ledger, fail to protect the millions of individual depositors of a great modern banking institution. And so it goes through all the range of economic life. Aggressive enterprise and shrewd invention have been at work on our economic machine. Our rules of conduct for the operation of that machine must be subjected to the same constant development.

And so in our social life. Forty years ago, slum conditions in our great cities were much worse than today. Living conditions on farms and working conditions in mines and factories were primitive. But they were taken for granted. Few people considered that the Government had responsibility for sanitation, for safety devices, for preventing child labor and night work for women. In 1911, twenty-four years ago, when I was first a member of the New York State Legislature, a number of the younger members of the Legislature worked against these old conditions and called for laws governing factory inspection, for workmen's

compensation and for the limitation of work for women and children to fifty-four hours, with one day's rest in seven. Those of us who joined in this movement in the Legislature were called reformers, socialists, and wild men. We were opposed by many of the same organizations and the same individuals who are now crying aloud about the socialism involved in social security legislation, in bank deposit insurance, in farm credit, in the saving of homes, in the protection of investors and the regulation of public utilities. The reforms, however, for which we were condemned twenty-four years ago are taken today as a matter of course. And so, I believe, will be regarded the reforms that now cause such concern to the reactionaries of 1935. We come to an understanding of these new ways of protecting people because our knowledge enlarges and our capacity for organized action increases. People have learned that they can carry their burdens effectively only by cooperation. We have found out how to conquer the ravages of diseases that years ago were regarded as unavoidable and inevitable. We must learn that many other social ills can be cured.

Let me emphasize that serious as have been the errors of unrestrained individualism, I do not believe in abandoning the system of individual enterprise. The freedom and opportunity that have characterized American development in the past can be maintained if we recognize the fact that the individual system of our day calls for the collaboration of all of us to provide, at the least, security for all of us. Those

words "freedom" and "opportunity" do not mean a license to climb upwards by pushing other people down.

Any paternalistic system which tries to provide for security for everyone from above only calls for an impossible task and a regimentation utterly uncongenial to the spirit of our people. But Government cooperation to help make the system of free enterprise work, to provide that minimum security without which the competitive system cannot function, to restrain the kind of individual action which in the past has been harmful to the community—that kind of governmental cooperation is entirely consistent with the best tradition of America.

Just as the evolution of economic and social life has shown the need for new methods and practices, so has the new political life developed the need for new political practices and methods. Government now demands the best trained brains of every business and profession. Government today requires higher and higher standards of those who would serve it. It must bring to its service greater and greater competence. The conditions of public work must be improved and protected. Mere party membership and loyalty can no longer be the exclusive test. We must be loyal not merely to persons or parties, but we must be loyal also to the higher conceptions of ability and devotion that modern Government requires. .

There was a day when political sages, or those who controlled them, took the attitude that anything new, or what

they called "new-fangled," would lead to dire results. There is nothing new in those prophecies of gloom. I read these lines in a paper the other day— a little poem entitled "Going to the Dogs":

My grandpa notes the world's worn cogs,
And says we're going to the dogs;
His granddad in his house of logs,
Swore things were going to the dogs;
His dad, among the Flemish bogs,
Vowed things were going to the dogs;
The caveman in his queer skin togs,
Said things were going to the dogs;
But this is what I wish to state—
The dogs have had an awful wait.

I would be lacking in any sense of responsibility and lacking in elementary courage if I shared in such a hopeless attitude.

I, for one, am willing to place my trust in the youth of America. If they demand action as well as preachments, I should be ashamed to chill their enthusiasm with the dire prophecy that to change is to destroy. I am unwilling to sneer at the vision of youth merely because vision is sometimes mistaken. But vision does not belong only to the young.

There are millions of older people who have vision, just as there are some younger men and women who are ready to put a weary, selfish or greedy hand upon the clock of progress and turn it back.

We who seek to go forward must ever guard ourselves against a danger which history teaches. More than ever, we cherish the elective form of democratic government, but progress under it can easily be retarded by disagreements that relate to method and to detail rather than to the broad objectives upon which we are agreed. It is as if all of us were united in the pursuit of a common goal, but that each and every one of us were marching along a separate road of our own. If we insist on choosing different roads, most of us will not reach our common destination. The reason that the forces of reaction so often defeat the forces of progress is that the Tories of the world are agreed and united in standing still on the same old spot and, therefore, never run the danger of getting lost on divergent trails. One might remark in passing that one form of standing still on the same spot consists in agreeing to condemn all progress and letting it go at that.

Therefore, to the American youth of all parties I submit a message of confidence—Unite and Challenge! Rules are not necessarily sacred; principles are. The methods of the old order are not, as some would have you believe, above the challenge of youth.

Let us carry on the good that the past gave us. The best of that good is the spirit of America. And the spirit of America is the spirit of inquiry, of readjustment, of improvement, above all a spirit in which youth can find the fulfillment of its ideals. It is for the new generation to participate in the

decisions and to give strength and spirit and continuity to our Government and to our national life.



SECTION 5

STATE OF THE UNION 1982

By RONALD REAGAN

Address Before a Joint Session of the Congress Reporting on the State of the Union

January 26, 1982

Mr. Speaker, Mr. President, distinguished Members of the Congress, honored guests, and fellow citizens:

Today marks my first State of the Union address to you, a constitutional duty as old as our Republic itself.

President Washington began this tradition in 1790 after reminding the Nation that the destiny of self-government and the "preservation of the sacred fire of liberty" is "finally staked on the experiment entrusted to the hands of the American people." For our friends in the press, who place a high premium on accuracy, let me say: I did not actually hear George Washington say that. [Laughter] But it is a matter of historic record. [Laughter]

But from this podium, Winston Churchill asked the free world to stand together against the onslaught of aggression. Franklin Delano Roosevelt spoke of a day of infamy and summoned a nation to arms. Douglas MacArthur made an unforgettable farewell to a country he loved and served so well. Dwight Eisenhower reminded us that peace was purchased only at the price of strength. And John F. Kennedy spoke of the burden and glory that is freedom.

When I visited this Chamber last year as a newcomer to Washington, critical of past policies which I believed had failed, I proposed a new spirit of partnership between this Congress and this administration and between Washington and our State and local governments. In forging this new partnership for America, we could achieve the oldest hopes of our Republic—prosperity for our nation, peace for the world, and the blessings of individual liberty for our children and, someday, for all of humanity.

It's my duty to report to you tonight on the progress that we have made in our relations with other nations, on the foundation we've carefully laid for our economic recovery, and finally, on a bold and spirited initiative that I believe can change the face of American government and make it again the servant of the people.

Seldom have the stakes been higher for America. What we do and say here will make all the difference to autoworkers in Detroit, lumberjacks in the Northwest, steelworkers in Steubenville who are in the unemployment lines; to black

teenagers in Newark and Chicago; to hard-pressed farmers and small businessmen; and to millions of everyday Americans who harbor the simple wish of a safe and financially secure future for their children. To understand the state of the Union, we must look not only at where we are and where we're going but where we've been. The situation at this time last year was truly ominous.

The last decade has seen a series of recessions. There was a recession in 1970, in 1974, and again in the spring of 1980. Each time, unemployment increased and inflation soon turned up again. We coined the word "stagflation" to describe this.

Government's response to these recessions was to pump up the money supply and increase spending. In the last 6 months of 1980, as an example, the money supply increased at the fastest rate in postwar history — 13 percent. Inflation remained in double digits, and government spending increased at an annual rate of 17 percent. Interest rates reached a staggering 21.5 percent. There were 8 million unemployed.

Late in 1981 we sank into the present recession, largely because continued high interest rates hurt the auto industry and construction. And there was a drop in productivity, and the already high unemployment increased.

This time, however, things are different. We have an economic program in place, completely different from the

artificial quick fixes of the past. It calls for a reduction of the rate of increase in government spending, and already that rate has been cut nearly in half. But reduced spending the first and smallest phase of a 3-year tax rate reduction designed to stimulate the economy and create jobs. Already interest rates are down to 15 3/4 percent, but they must still go lower. Inflation is down from 12.4 percent to 8.9, and for the month of December it was running at an annualized rate of 5.2 percent. If we had not acted as we did, things would be far worse for all Americans than they are today. Inflation, taxes, and interest rates would all be higher.

A year ago, Americans' faith in their governmental process was steadily declining. Six out of 10 Americans were saying they were pessimistic about their future. A new kind of defeatism was heard. Some said our domestic problems were uncontrollable, that we had to learn to live with this seemingly endless cycle of high inflation and high unemployment.

There were also pessimistic predictions about the relationship between our administration and this Congress. It was said we could never work together. Well, those predictions were wrong. The record is clear, and I believe that history will remember this as an era of American renewal, remember this administration as an administration of change, and remember this Congress as a Congress of destiny.

Together, we not only cut the increase in government spending nearly in half, we brought about the largest tax reductions and the most sweeping changes in our tax structure since the beginning of this century. And because we indexed future taxes to the rate of inflation, we took away government's built-in profit on inflation and its hidden incentive to grow larger at the expense of American workers.-

Together, after 50 years of taking power away from the hands of the people in their States and local communities, we have started returning power and resources to them.

Together, we have cut the growth of new Federal regulations nearly in half. In 1981 there were 23,000 fewer pages in the Federal Register, which lists new regulations, than there were in 1980. By deregulating oil we've come closer to achieving energy independence and helped bring down the cost of gasoline and heating fuel.

Together, we have created an effective Federal strike force to combat waste and fraud in government. In just 6 months it has saved the taxpayers more than \$2 billion, and it's only getting started.

Together we've begun to mobilize the private sector, not to duplicate wasteful and discredited government programs, but to bring thousands of Americans into a volunteer effort to help solve many of America's social problems.

Together we've begun to restore that margin of military safety that ensures peace. Our country's uniform is being worn once again with pride.

Together we have made a New Beginning, but we have only begun.

No one pretends that the way ahead will be easy. In my Inaugural Address last year, I warned that the "ills we suffer have come upon us over several decades. They will not go away in days, weeks, or months, but they will go away . . . because we as Americans have the capacity now, as we've had it in the past, to do whatever needs to be done to preserve this last and greatest bastion of freedom."¹

The economy will face difficult moments in the months ahead. But the program for economic recovery that is in place will pull the economy out of its slump and put us on the road to prosperity and stable growth by the latter half of this year. And that is why I can report to you tonight that in the near future the state of the Union and the economy will be better—much better—if we summon the strength to continue on the course that we've charted.

And so, the question: If the fundamentals are in place, what now? Well, two things. First, we must understand what's happening at the moment to the economy. Our current problems are not the product of the recovery program that's only just now getting underway, as some would have you

believe; they are the inheritance of decades of tax and tax and spend and spend.

Second, because our economic problems are deeply rooted and will not respond to quick political fixes, we must stick to our carefully integrated plan for recovery. That plan is based on four commonsense fundamentals: continued reduction of the growth in Federal spending; preserving the individual and business tax reductions that will stimulate saving and investment; removing unnecessary Federal regulations to spark productivity; and maintaining a healthy dollar and a stable monetary policy, the latter a responsibility of the Federal Reserve System.

The only alternative being offered to this economic program is a return to the policies that gave us a trillion-dollar debt, runaway inflation, runaway interest rates and unemployment. The doubters would have us turn back the clock with tax increases that would offset the personal tax rate reductions already passed by this Congress. Raise present taxes to cut future deficits, they tell us. Well, I don't believe we should buy that argument.

There are too many imponderables for anyone to predict deficits or surpluses several years ahead with any degree of accuracy. The budget in place, when I took office, had been projected as balanced. It turned out to have one of the biggest deficits in history. Another example of the imponderables that can make deficit projections highly questionable—a change of only one percentage point in

unemployment can alter a deficit up or down by some \$25 billion.

As it now stands, our forecast, which we're required by law to make, will show major deficits starting at less than a hundred billion dollars and declining, but still too high. More important, we're making progress with the three keys to reducing deficits: economic growth, lower interest rates, and spending control. The policies we have in place will reduce the deficit steadily, surely, and in time, completely.

Higher taxes would not mean lower deficits. If they did, how would we explain that tax revenues more than doubled just since 1976; yet in that same 6-year period we ran the largest series of deficits in our history. In 1980 tax revenues increased by \$54 billion, and in 1980 we had one of our all-time biggest deficits. Raising taxes won't balance the budget; it will encourage more government spending and less private investment. Raising taxes will slow economic growth, reduce production, and destroy future jobs, making it more difficult for those without jobs to find them and more likely that those who now have jobs could lose them. So, I will not ask you to try to balance the budget on the backs of the American taxpayers.

I will seek no tax increases this year, and I have no intention of retreating from our basic program of tax relief. I promise to bring the American people—to bring their tax rates down and to keep them down, to provide them incentives to rebuild our economy, to save, to invest in America's future. I

will stand by my word. Tonight I'm urging the American people: Seize these new opportunities to produce, to save, to invest, and together we'll make this economy a mighty engine of freedom, hope, and prosperity again.

Now, the budget deficit this year will exceed our earlier expectations. The recession did that. It lowered revenues and increased costs. To some extent, we're also victims of our own success. We've brought inflation down faster than we thought we could, and in doing this, we've deprived government of those hidden revenues that occur when inflation pushes people into higher income tax brackets. And the continued high interest rates last year cost the government about \$5 billion more than anticipated.

We must cut out more nonessential government spending and rout out more waste, and we will continue our efforts to reduce the number of employees in the Federal work force by 75,000.

The budget plan I submit to you on February 8th will realize major savings by dismantling the Departments of Energy and Education and by eliminating ineffective subsidies for business. We'll continue to redirect our resources to our two highest budget priorities—a strong national defense to keep America free and at peace and a reliable safety net of social programs for those who have contributed and those who are in need.

Contrary to some of the wild charges you may have heard, this administration has not and will not turn its back on America's elderly or America's poor. Under the new budget, funding for social insurance programs will be more than double the amount spent only 6 years ago. But it would be foolish to pretend that these or any programs cannot be made more efficient and economical.

The entitlement programs that make up our safety net for the truly needy have worthy goals and many deserving recipients. We will protect them. But there's only one way to see to it that these programs really help those whom they were designed to help. And that is to bring their spiraling costs under control.

Today we face the absurd situation of a Federal budget with three-quarters of its expenditures routinely referred to as "uncontrollable." And a large part of this goes to entitlement programs.

Committee after committee of this Congress has heard witness after witness describe many of these programs as poorly administered and rife with waste and fraud. Virtually every American who shops in a local supermarket is aware of the daily abuses that take place in the food stamp program, which has grown by 16,000 percent in the last 15 years. Another example is Medicare and Medicaid—programs with worthy goals but whose costs have increased from 11.2 billion to almost 60 billion, more than 5 times as much, in just 10 years.

Waste and fraud are serious problems. Back in 1980 Federal investigators testified before one of your committees that "corruption has permeated virtually every area of the Medicare and Medicaid health care industry." One official said many of the people who are cheating the system were "very confident that nothing was going to happen to them." Well, something is going to happen. Not only the taxpayers are defrauded; the people with real dependency on these programs are deprived of what they need, because available resources are going not to the needy, but to the greedy.

The time has come to control the uncontrollable. In August we made a start. I signed a bill to reduce the growth of these programs by \$44 billion over the next 3 years while at the same time preserving essential services for the truly needy. Shortly you will receive from me a message on further reforms we intend to install—some new, but others long recommended by your own congressional committees. I ask you to help make these savings for the American taxpayer.

The savings we propose in entitlement programs will total some \$63 billion over 4 Years and will, without affecting social security, go a long way toward bringing Federal spending under control.

But don't be fooled by those who proclaim that spending cuts will deprive the elderly, the needy, and the helpless. The Federal Government will still subsidize 95 million meals every day. That's one out of seven of all the meals served in America. Head Start, senior nutrition programs, and child

welfare programs will not be cut from the levels we proposed last year. More than one-half billion dollars has been proposed for minority business assistance. And research at the National Institute of Health will be increased by over \$100 million. While meeting all these needs, we intend to plug unwarranted tax loopholes and strengthen the law which requires all large corporations to pay a minimum tax.

I am confident the economic program we've put into operation will protect the needy while it triggers a recovery that will benefit all Americans. It will stimulate the economy, result in increased savings and provide capital for expansion, mortgages for homebuilding, and jobs for the unemployed.

Now that the essentials of that program are in place, our next major undertaking must be a program—just as bold, just as innovative—to make government again accountable to the people, to make our system of federalism work again.

Our citizens feel they've lost control of even the most basic decisions made about the essential services of government, such as schools, welfare, roads, and even garbage collection. And they're right. A maze of interlocking jurisdictions and levels of government confronts average citizens in trying to solve even the simplest of problems. They don't know where to turn for answers, who to hold accountable, who to praise, who to blame, who to vote for or against. The main reason for this is the overpowering growth of Federal grants-in-aid programs during the past few decades.

In 1960 the Federal Government had 132 categorical grant programs, costing \$7 billion. When I took office, there were approximately 500, costing nearly a hundred billion dollars—13 programs for energy, 36 for pollution control, 66 for social services, 90 for education. And here in the Congress, it takes at least 166 committees just to try to keep track of them.

You know and I know that neither the President nor the Congress can properly oversee this jungle of grants-in-aid; indeed, the growth of these grants has led to the distortion in the vital functions of government. As one Democratic Governor put it recently: The National Government should be worrying about "arms control, not potholes."

The growth in these Federal programs has—in the words of one intergovernmental commission—made the Federal Government "more pervasive, more intrusive, more unmanageable, more ineffective and costly, and above all, more [un] accountable." Let's solve this problem with a single, bold stroke: the return of some \$47 billion in Federal programs to State and local government, together with the means to finance them and a transition period of nearly 10 years to avoid unnecessary disruption.

I will shortly send this Congress a message describing this program. I want to emphasize, however, that its full details will have been worked out only after close consultation with congressional, State, and local officials.

Starting in fiscal 1984, the Federal Government will assume full responsibility for the cost of the rapidly growing

Medicaid program to go along with its existing responsibility for Medicare. As part of a financially equal swap, the States will simultaneously take full responsibility for Aid to Families with Dependent Children and food stamps. This will make welfare less costly and more responsive to genuine need, because it'll be designed and administered closer to the grass roots and the people it serves.

In 1984 the Federal Government will apply the full proceeds from certain excise taxes to a grass roots trust fund that will belong in fair shares to the 50 States. The total amount flowing into this fund will be \$28 billion a year. Over the next 4 years the States can use this money in either of two ways. If they want to continue receiving Federal grants in such areas as transportation, education, and social services, they can use their trust fund money to pay for the grants. Or to the extent they choose to forgo the Federal grant programs, they can use their trust fund money on their own for those or other purposes. There will be a mandatory pass-through of part of these funds to local governments.

By 1988 the States will be in complete control of over 40 Federal grant programs. The trust fund will start to phase out, eventually to disappear, and the excise taxes will be turned over to the States. They can then preserve, lower, or raise taxes on their own and fund and manage these programs as they see fit.

In a single stroke we will be accomplishing a realignment that will end cumbersome administration and spiraling costs

at the Federal level while we ensure these programs will be more responsive to both the people they're meant to help and the people who pay for them.

Hand in hand with this program to strengthen the discretion and flexibility of State and local governments, we're proposing legislation for an experimental effort to improve and develop our depressed urban areas in the 1980's and '90's. This legislation will permit States and localities to apply to the Federal Government for designation as urban enterprise zones. A broad range of special economic incentives in the zones will help attract new business, new jobs, new opportunity to America's inner cities and rural towns. Some will say our mission is to save free enterprise. Well, I say we must free enterprise so that together we can save America.

Some will also say our States and local communities are not up to the challenge of a new and creative partnership. Well, that might have been true 20 years ago before reforms like reapportionment and the Voting Rights Act, the 10-year extension of which I strongly support. It's no longer true today. This administration has faith in State and local governments and the constitutional balance envisioned by the Founding Fathers. We also believe in the integrity, decency, and sound, good sense of grass roots Americans.

Our faith in the American people is reflected in another major endeavor. Our private sector initiatives task force is seeking out successful community models of school, church,

business, union, foundation, and civic programs that help community needs. Such groups are almost invariably far more efficient than government in running social programs.

We're not asking them to replace discarded and often discredited government programs dollar for dollar, service for service. We just want to help them perform the good works they choose and help others to profit by their example. Three hundred and eighty-five thousand corporations and private organizations are already working on social programs ranging from drug rehabilitation to job training, and thousands more Americans have written us asking how they can help. The volunteer spirit is still alive and well in America.

Our nation's long journey towards civil rights for all our citizens—once a source of discord, now a source of pride—must continue with no backsliding or slowing down. We must and shall see that those basic laws that guarantee equal rights are preserved and, when necessary, strengthened.

Our concern for equal rights for women is firm and unshakable. We launched a new Task Force on Legal Equity for Women and a Fifty States Project that will examine State laws for discriminatory language. And for the first time in our history, a woman sits on the highest court in the land.

So, too, the problem of crime—one as real and deadly serious as any in America today. It demands that we seek transformation of our legal system, which overly protects the

rights of criminals while it leaves society and the innocent victims of crime without justice.

We look forward to the enactment of a responsible clean air act to increase jobs while continuing to improve the quality of our air. We're encouraged by the bipartisan initiative of the House and are hopeful of further progress as the Senate continues its deliberations.

So far, I've concentrated largely, now, on domestic matters. To view the state of the Union in perspective, we must not ignore the rest of the world. There isn't time tonight for a lengthy treatment of social—or foreign policy, I should say, a subject I intend to address in detail in the near future. A few words, however, are in order on the progress we've made over the past year, reestablishing respect for our nation around the globe and some of the challenges and goals that we will approach in the year ahead.

At Ottawa and Cancun, I met with leaders of the major industrial powers and developing nations. Now, some of those I met with were a little surprised that I didn't apologize for America's wealth. Instead, I spoke of the strength of the free marketplace system and how that system could help them realize their aspirations for economic development and political freedom. I believe lasting friendships were made, and the foundation was laid for future cooperation.

In the vital region of the Caribbean Basin, we're developing a program of aid, trade, and investment incentives to

promote self-sustaining growth and a better, more secure life for our neighbors to the south. Toward those who would export terrorism and subversion in the Caribbean and elsewhere, especially Cuba and Libya, we will act with firmness.

Our foreign policy is a policy of strength, fairness, and balance. By restoring America's military credibility, by pursuing peace at the negotiating table wherever both sides are willing to sit down in good faith, and by regaining the respect of America's allies and adversaries alike, we have strengthened our country's position as a force for peace and progress in the world.

When action is called for, we're taking it. Our sanctions against the military dictatorship that has attempted to crush human rights in Poland—and against the Soviet regime behind that military dictatorship—clearly demonstrated to the world that America will not conduct "business as usual" with the forces of oppression. If the events in Poland continue to deteriorate, further measures will follow.

Now, let me also note that private American groups have taken the lead in making January 30th a day of solidarity with the people of Poland. So, too, the European Parliament has called for March 21st to be an international day of support for Afghanistan. Well, I urge all peace-loving peoples to join together on those days, to raise their voices, to speak and pray for freedom.

Meanwhile, we're working for reduction of arms and military activities, as I announced in my address to the Nation last November 18th. We have proposed to the Soviet Union a far-reaching agenda for mutual reduction of military forces and have already initiated negotiations with them in Geneva on intermediate-range nuclear forces. In those talks it is essential that we negotiate from a position of strength. There must be a real incentive for the Soviets to take these talks seriously. This requires that we rebuild our defenses.

In the last decade, while we sought the moderation of Soviet power through a process of restraint and accommodation, the Soviets engaged in an unrelenting buildup of their military forces. The protection of our national security has required that we undertake a substantial program to enhance our military forces.

We have not neglected to strengthen our traditional alliances in Europe and Asia, or to develop key relationships with our partners in the Middle East and other countries. Building a more peaceful world requires a sound strategy and the national resolve to back it up. When radical forces threaten our friends, when economic misfortune creates conditions of instability, when strategically vital parts of the world fall under the shadow of Soviet power, our response can make the difference between peaceful change or disorder and violence. That's why we've laid such stress not only on our own defense but on our vital foreign assistance program. Your recent passage of the Foreign Assistance Act sent a

signal to the world that America will not shrink from making the investments necessary for both peace and security. Our foreign policy must be rooted in realism, not naïveté or self-delusion.

A recognition of what the Soviet empire is about is the starting point. Winston Churchill, in negotiating with the Soviets, observed that they respect only strength and resolve in their dealings with other nations. That's why we've moved to reconstruct our national defenses. We intend to keep the peace. We will also keep our freedom.

We have made pledges of a new frankness in our public statements and worldwide broadcasts. In the face of a climate of falsehood and misinformation, we've promised the world a season of truth—the truth of our great civilized ideas: individual liberty, representative government, the rule of law under God. We've never needed walls or minefields or barbed wire to keep our people in. Nor do we declare martial law to keep our people from voting for the kind of government they want.

Yes, we have our problems; yes, we're in a time of recession. And it's true, there's no quick fix, as I said, to instantly end the tragic pain of unemployment. But we will end it. The process has already begun, and we'll see its effect as the year goes on.

We speak with pride and admiration of that little band of Americans who overcame insuperable odds to set this nation

on course 200 years ago. But our glory didn't end with them. Americans ever since have emulated their deeds.

We don't have to turn to our history books for heroes. They're all around us. One who sits among you here tonight epitomized that heroism at the end of the longest imprisonment ever inflicted on men of our Armed Forces. Who will ever forget that night when we waited for television to bring us the scene of that first plane landing at Clark Field in the Philippines, bringing our POW's home? The plane door opened and Jeremiah Denton came slowly down the ramp. He caught sight of our flag, saluted it, said, "God bless America," and then thanked us for bringing him home.

Just 2 weeks ago, in the midst of a terrible tragedy on the Potomac, we saw again the spirit of American heroism at its finest—the heroism of dedicated rescue workers saving crash victims from icy waters. And we saw the heroism of one of our young government employees, Lenny Skutnik, who, when he saw a woman lose her grip on the helicopter line, dived into the water and dragged her to safety.

And then there are countless, quiet, everyday heroes of America who sacrifice long and hard so their children will know a better life than they've known; church and civic volunteers who help to feed, clothe, nurse, and teach the needy; millions who've made our nation and our nation's destiny so very special-unsung heroes who may not have realized their own dreams themselves but then who reinvest those dreams in their children. Don't let anyone tell you that

America's best days are behind her, that the American spirit has been vanquished. We've seen it triumph too often in our lives to stop believing in it now.

A hundred and twenty years ago, the greatest of all our Presidents delivered his second State of the Union message in this Chamber. "We cannot escape history," Abraham Lincoln warned. "We of this Congress and this administration will be remembered in spite of ourselves." The "trial through which we pass will light us down, in honor or dishonor, to the latest [last] generation."

Well, that President and that Congress did not fail the American people. Together they weathered the storm and preserved the Union. Let it be said of us that we, too, did not fail; that we, too, worked together to bring America through difficult times. Let us so conduct ourselves that two centuries from now, another Congress and another President, meeting in this Chamber as we are meeting, will speak of us with

pride, saying that we met the test and preserved for them in their day the sacred flame of liberty—this last, best hope of man on Earth.
God bless you,
and thank you.



UNIT 5

THE EVOLUTION OF
CITIZENSHIP AND
CITIZENSHIP RIGHTS
IN AMERICA.

Who compromises “We the
People”?



SECTION 1

Race and Sex as conceived in Early America and in the Founding Documents

Federalist Paper No. 54

By ALEXANDER HAMILTON or JAMES MADISON

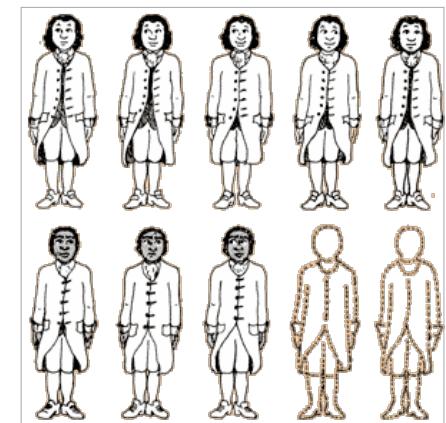
Tuesday, February 12, 1788.

THE next view which I shall take of the House of Representatives relates to the appointment of its members to the several States which is to be determined by the same rule with that of direct taxes. It is not contended that the number of people in each State ought not to be the standard for

regulating the proportion of those who are to represent the people of each State. The establishment of the same rule for the appointment of taxes, will probably be as little contested; though the rule itself in this case, is by no means founded on the same principle. In the former case, the rule is understood to refer to the personal rights of the people, with which it has a natural and universal connection.

In the latter, it has reference to the proportion of wealth, of which it is in no case a precise measure, and in ordinary cases a very unfit one. But notwithstanding the imperfection of the rule as applied to the relative wealth and contributions of the States, it is evidently the least objectionable among the practicable rules, and had too recently obtained the general sanction of America, not to have found a ready preference with the convention. All this is admitted, it will perhaps be said; but does it follow, from an admission of numbers for the measure of representation, or of slaves combined with free citizens as a ratio of taxation, that slaves ought to be included in the numerical rule of representation?

Slaves are considered as property, not as persons. They ought therefore to be comprehended in estimates of taxation which are founded on property, and to be excluded from representation which is



regulated by a census of persons. This is the objection, as I understand it, stated in its full force. I shall be equally candid in stating the reasoning which may be offered on the opposite side. "We subscribe to the doctrine," might one of our Southern brethren observe, "that representation relates more immediately to persons, and taxation more immediately to property, and we join in the application of this distinction to the case of our slaves. But we must deny the fact, that slaves are considered merely as property, and in no respect whatever as persons. The true state of the case is, that they partake of both these qualities: being considered by our laws, in some respects, as persons, and in other respects as property. In being compelled to labor, not for himself, but for a master; in being vendible by one master to another master; and in being subject at all times to be restrained in his liberty and chastised in his body, by the capricious will of another, the slave may appear to be degraded from the human rank, and classed with those irrational animals which fall under the legal denomination of property. In being protected, on the other hand, in his life and in his limbs, against the violence of all others, even the master of his labor and his liberty; and in being punishable himself for all violence committed against others, the slave is no less evidently regarded by the law as a member of the society, not as a part of the irrational creation; as a moral person, not as a mere article of property. The federal Constitution, therefore, decides with great propriety on the case of our slaves, when it views them in the mixed character of persons and of property.

This is in fact their true character. It is the character bestowed on them by the laws under which they live; and it will not be denied, that these are the proper criterion; because it is only under the pretext that the laws have transformed the negroes into subjects of property, that a place is disputed them in the computation of numbers; and it is admitted, that if the laws were to restore the rights which have been taken away, the negroes could no longer be refused an equal share of representation with the other inhabitants. "This question may be placed in another light. It is agreed on all sides, that numbers are the best scale of wealth and taxation, as they are the only proper scale of representation. Would the convention have been impartial or consistent, if they had rejected the slaves from the list of inhabitants, when the shares of representation were to be calculated, and inserted them on the lists when the tariff of contributions was to be adjusted? Could it be reasonably expected, that the Southern States would concur in a system, which considered their slaves in some degree as men, when burdens were to be imposed, but refused to consider them in the same light, when advantages were to be conferred? Might not some surprise also be expressed, that those who reproach the Southern States with the barbarous policy of considering as property a part of their human brethren, should themselves contend, that the government to which all the States are to be parties, ought to consider this unfortunate race more completely in the unnatural light of property, than the very laws of which they complain? "It may

be replied, perhaps, that slaves are not included in the estimate of representatives in any of the States possessing them. They neither vote themselves nor increase the votes of their masters.

Upon what principle, then, ought they to be taken into the federal estimate of representation? In rejecting them altogether, the Constitution would, in this respect, have followed the very laws which have been appealed to as the proper guide. "This objection is repelled by a single observation. It is a fundamental principle of the proposed Constitution, that as the aggregate number of representatives allotted to the several States is to be determined by a federal rule, founded on the aggregate number of inhabitants, so the right of choosing this allotted number in each State is to be exercised by such part of the inhabitants as the State itself may designate. The qualifications on which the right of suffrage depend are not, perhaps, the same in any two States. In some of the States the difference is very material. In every State, a certain proportion of inhabitants are deprived of this right by the constitution of the State, who will be included in the census by which the federal Constitution apportions the representatives.

In this point of view the Southern States might retort the complaint, by insisting that the principle laid down by the convention required that no regard should be had to the policy of particular States towards their own inhabitants; and consequently, that the slaves, as inhabitants, should have

been admitted into the census according to their full number, in like manner with other inhabitants, who, by the policy of other States, are not admitted to all the rights of citizens. A rigorous adherence, however, to this principle, is waived by those who would be gainers by it. All that they ask is that equal moderation be shown on the other side. Let the case of the slaves be considered, as it is in truth, a peculiar one. Let the compromising expedient of the Constitution be mutually adopted, which regards them as inhabitants, but as debased by servitude below the equal level of free inhabitants, which regards the SLAVE as divested of two fifths of the MAN. "After all, may not another ground be taken on which this article of the Constitution will admit of a still more ready defense? We have hitherto proceeded on the idea that representation related to persons only, and not at all to property. But is it a just idea?

Government is instituted no less for protection of the property, than of the persons, of individuals. The one as well as the other, therefore, may be considered as represented by those who are charged with the government. Upon this principle it is, that in several of the States, and particularly in the State of New York, one branch of the government is intended more especially to be the guardian of property, and is accordingly elected by that part of the society which is most interested in this object of government. In the federal Constitution, this policy does not prevail. The rights of property are committed into the same hands with the

personal rights. Some attention ought, therefore, to be paid to property in the choice of those hands. "For another reason, the votes allowed in the federal legislature to the people of each State, ought to bear some proportion to the comparative wealth of the States. States have not, like individuals, an influence over each other, arising from superior advantages of fortune.

If the law allows an opulent citizen but a single vote in the choice of his representative, the respect and consequence which he derives from his fortunate situation very frequently guide the votes of others to the objects of his choice; and through this imperceptible channel the rights of property are conveyed into the public representation. A State possesses no such influence over other States. It is not probable that the richest State in the Confederacy will ever influence the choice of a single representative in any other State. Nor will the representatives of the larger and richer States possess any other advantage in the federal legislature, over the representatives of other States, than what may result from their superior number alone. As far, therefore, as their superior wealth and weight may justly entitle them to any advantage, it ought to be secured to them by a superior share of representation.

The new Constitution is, in this respect, materially different from the existing Confederation, as well as from that of the United Netherlands, and other similar confederacies. In each of the latter, the efficacy of the federal resolutions depends on

the subsequent and voluntary resolutions of the states composing the union. Hence the states, though possessing an equal vote in the public councils, have an unequal influence, corresponding with the unequal importance of these subsequent and voluntary resolutions. Under the proposed Constitution, the federal acts will take effect without the necessary intervention of the individual States. They will depend merely on the majority of votes in the federal legislature, and consequently each vote, whether proceeding from a larger or smaller State, or a State more or less wealthy or powerful, will have an equal weight and efficacy: in the same manner as the votes individually given in a State legislature, by the representatives of unequal counties or other districts, have each a precise equality of value and effect; or if there be any difference in the case, it proceeds from the difference in the personal character of the individual representative, rather than from any regard to the extent of the district from which he comes. "Such is the reasoning which an advocate for the Southern interests might employ on this subject; and although it may appear to be a little strained in some points, yet, on the whole, I must confess that it fully reconciles me to the scale of representation which the convention have established. In one respect, the establishment of a common measure for representation and taxation will have a very salutary effect. As the accuracy of the census to be obtained by the Congress will necessarily depend, in a considerable degree on the disposition, if not on the co-operation, of the States, it is of

great importance that the States should feel as little bias as possible, to swell or to reduce the amount of their numbers. Were their share of representation alone to be governed by this rule, they would have an interest in exaggerating their inhabitants. Were the rule to decide their share of taxation alone, a contrary temptation would prevail. By extending the rule to both objects, the States will have opposite interests, which will control and balance each other, and produce the requisite impartiality.

Letter to John Adams

By ABIGAIL ADAMS

March 31, 1776

I wish you would ever write me a letter half as long as I write you, and tell me, if you may, where your fleet are gone; what sort of defense Virginia can make against our common enemy; whether it is so situated as to make an able defense. Are not the gentry lords, and the common people vassals? Are they not like the uncivilized vassals Britain represents us to be? I hope their riflemen, who have shown themselves very savage and even blood-thirsty, are not a specimen of the generality of the people. I am willing to allow the colony great merit for having produced a Washington—but they have been shamefully duped by a Dunmore.

I have sometimes been ready to think that the passion for liberty cannot be equally strong in the breasts of those who have been accustomed to deprive their fellow-creatures of theirs. Of this I am certain, that it is not founded upon that generous and Christian



EDUCATION

"Learning is not attained by chance, it must be sought for with ardor and attended to with diligence"

principle of doing to others as we would that others should do unto us.

Do not you want to see Boston? I am fearful of the small-pox, or I should have been in before this time. I got Mr. Crane to go to our house and see what state it was in. I find it has been occupied by one of the doctors of a regiment; very dirty, but no other damage has been done to it. The few things which were left in it are all gone. I look upon it as a new acquisition of property—a property which one month ago I did not value at a single shilling, and would with pleasure have seen it in flames.

The town in general is left in a better state than we expected; more owing to a precipitate flight than any regard to the inhabitants; though some individuals discovered a sense of honor and justice, and have left the rent of the houses in which they were, for the owners, and the furniture unhurt, or, if damaged, sufficient to make it good. Others have committed abominable ravages. The mansion house of your President is safe, and

the furniture unhurt while the house and furniture of the Solicitor General have fallen a prey to their own merciless party. Surely the very fiends feel a reverential awe for virtue and patriotism, whilst they detest the parricide and traitor.

I feel very differently at the approach of spring from what I did a month ago. We knew not then whether we could plant or sow with safety, whether where we had tilled we could reap the fruits of our own industry, whether we could rest in our own cottages or whether we should be driven from the seacoast to seek shelter in the wilderness but now we feel a temporary peace, and the poor fugitives are returning to their deserted habitations.

Though we felicitate ourselves, we sympathize with those who are trembling lest the lot of Boston should be theirs. But they cannot be in similar circumstances unless pusillanimity and cowardice should take possession of them. They have time and warning given them to see the evil and shun it.

I long to hear that you have declared an independency. And, by the way, in the new code of laws which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than your ancestors. Do not put such unlimited power into the hands of the husbands. Remember, all men would be tyrants if they could. If particular care and attention is not paid to the ladies, we are determined to foment a rebellion, and will not hold ourselves bound by any laws in which we have no voice or representation.

That your sex are naturally tyrannical is a truth so thoroughly established as to admit of no dispute; but such of you as wish to be happy willingly give up the harsh title of master for the more tender and endearing one of friend.

Why, then, not put it out of the power of the vicious and the lawless to use us with cruelty and indignity with impunity? Men of sense in all ages abhor those customs which treat us only as the vassals of your sex; regard us then as beings placed by Providence under your protection, and in imitation of the Supreme Being make use of that power only for our happiness.

April 5.

I want to hear much oftener from you than I do. March 8th was the last date of any that I have yet had. You inquire of me whether I am making saltpetre. I have not yet attempted it, but after soap-making believe I shall make the experiment. I find as much as I can do to manufacture clothing for my family, which would else be naked. I know of but one person in this part of the town who has made any. That is Mr. Tertius Bass, as he is called, who has got very near a hundred-weight which has been found to be very good. I have heard of some others in the other parishes. Mr. Reed, of Weymouth, has been applied to, to go to Andover to the mills which are now at work, and he has gone.

I have lately seen a small manuscript describing the proportions of the various sorts of powder fit for cannon, small arms, and pistols. If it would be of any service your way I will get it transcribed and send it to you. Every one your friends sends regards, and all the little ones. Adieu.

On the Equality of the Sexes

By JUDITH SARGENT MURRAY

Using the pen name "Constantia," Judith Sargent Murray published this essay in the Massachusetts Magazine in March and April 1790 in two installments. The Massachusetts Magazine was a highly respected periodical of its time. Its circulation included the entire American Eastern seaboard and also reached across the Atlantic to England. This essay predated by two years Mary Wollstonecraft's better known "Vindication of the Rights of Woman" (England, 1792). Paragraphs are mine. Judith Sargent Murray continued this essay, in four parts, in her 1798 book, *The Gleaner*.

On the Equality of the Sexes

*That minds are not alike, full well I know,
This truth each day's experience will show;
To heights surprising some great spirits soar,*



*With inborn strength mysterious depths explore;
Their eager gaze surveys the path of light,
Confest it stood to Newton's piercing sight.
Deep science, like a bashful maid retires,
And but the ardent breast her worth inspires;
By perseverance the coy fair is won.
And Genius, led by Study, wears the crown.
But some there are who wish not to improve,
Who never can the path of knowledge love,
Whose souls almost with the dull body one,
With anxious care each mental pleasure shun;
Weak is the level'd, enervated mind,
And but while here to vegetate design'd.
The torpid spirit mingling with its clod,
Can scarcely boast its origin from God;
Stupidly dull—they move progressing on—
They eat, and drink, and all their work is done.
While others, emulous of sweet applause,
Industrious seek for each event a cause,
Tracing the hidden springs whence knowledge flows,*

*Which nature all in beateous order shows.
Yet cannot I their sentiments imbibe,
Who this distinction to the sex ascribe,
As if a woman's form must needs enrol,
A weak, a servile, an inferiour soul;
And that the guise of man must still proclaim,
Greatness of mind, and him, to be the same:
Yet as the hours revolve fair proofs arise,
Which the bright wreath of growing fame supplies;
And in past times some men have sunk so low,
That female records nothing less can show.
But imbecility is still confin'd,
And by the lordly sex to us consign'd;
They rob us of the power t'improve,
And then declare we only trifles love;
Yet haste the era, when the world shall know,
That such distinctions only dwell below;
The soul unfetter'd, to no sex confin'd,
Was for the abodes of cloudless day design'd.
Mean time we emulate their manly fires,*

*Though erudition all their thoughts inspires,
Yet nature with equality imparts,
And noble passions, swell e'en female hearts.*

IS it upon mature consideration we adopt the idea, that nature is thus partial in her distributions? Is it indeed a fact, that she hath yielded to one half of the human species so unquestionable a mental superiority? I know that to both sexes elevated understandings, and the reverse, are common. But, suffer me to ask, in what the minds of females are so notoriously deficient, or unequal. May not the intellectual powers be ranged under these four heads—imagination, reason, memory and judgment. The province of imagination hath long since been surrendered up to us, and we have been crowned undoubted sovereigns of the regions of fancy. Invention is perhaps the most arduous effort of the mind; this branch of imagination hath been particularly ceded to us, and we have been time out of mind invested with that creative faculty.

Observe the variety of fashions (here I bar the contemptuous smile) which distinguish and adorn the female world; how continually are they changing, insomuch that they almost render the whole man's assertion problematical, and we are ready to say, there is something new under the sun. Now, what a playfulness, what an exuberance of fancy, what strength of inventive imagination, doth this continual variation discover? Again, it hath been observed, that if the

turpitude of the conduct of our sex, hath been ever so enormous, so extremely ready are we, that the very first thought presents us with an apology, so plausible, as to produce our actions even in an amiable light. Another instance of our creative powers, is our talent for slander; how ingenious are we at inventive scandal? what a formidable story can we in a moment fabricate merely from the force of a prolifick imagination? how many reputations, in the fertile brain of a female, have been utterly despoiled? how industrious are we at improving a hint? suspicion how easily do we convert into conviction, and conviction, embellished by the power of eloquence, stalks abroad to the surprise and confusion of unsuspecting innocence.

Perhaps it will be asked if I furnish these facts as instances of excellency in our sex. Certainly not; but as proofs of a creative faculty, of a lively imagination. Assuredly great activity of mind is thereby discovered, and was this activity properly directed, what beneficial effects would follow. Is the needle and kitchen sufficient to employ the operations of a soul thus organized? I should conceive not. Nay, it is a truth that those very departments leave the intelligent principle vacant, and at liberty for speculation. Are we deficient in reason? we can only reason from what we know, and if opportunity of acquiring knowledge hath been denied us, the inferiority of our sex cannot fairly be deduced from thence. Memory, I believe, will be allowed us in common, since every one's experience must testify, that a loquacious old woman is

as frequently met with, as a communicative old man; their subjects are alike drawn from the fund of other times and the transactions of their youth, or of maturer life, entertain, or perhaps fatigue you, in the evening of their lives. "But our judgement is not so strong—we do not distinguish so well."

Yet it may be questioned, from what doth this superiority, in this determining faculty of the soul, proceed. May we not trace its source in the difference of education, and continued advantages? Will it be said that the judgment of a male of two years old, is more sage than that of a female's of the same age? I believe the reverse is generally observed to be true. But from that period what partiality! how is the one exalted and the other depressed, by the contrary modes of education which are adopted! the one is taught to aspire, and the other is early confined and limited. As their years increase, the sister must be wholly domesticated, while the brother is led by the hand through all the flowery paths of science. Grant that their minds are by nature equal, yet who shall wonder at the apparent superiority, if indeed custom becomes second nature; nay if it taketh place of nature, and that it doth the experience of each day will evince.

At length arrived at womanhood, the uncultivated fair one feels a void, which the employments allotted her are by no means capable of filling. What can she do? to books she may not apply; or if she doth, to those only of the novel kind, lest she merit the appellation of a learned lady; and what ideas have been affixed to this term, the observation of many can

testify. Fashion, scandal, and sometimes what is still more reprehensible, are then called in to her relief; and who can say to what lengths the liberties she takes may proceed. Meantime she herself is most unhappy; she feels the want of a cultivated mind. Is she single, she in vain seeks to fill up time from sexual employments or amusements. Is she united to a person whose soul nature made equal to her own, education hath set him so far above her, that in those entertainments which are productive of such rational felicity, she is not qualified to accompany him. She experiences a mortifying consciousness of inferiority, which embitters every enjoyment. Doth the person to whom her adverse fate hath consigned her, possess a mind incapable of improvement, she is equally wretched, in being so closely connected with an individual whom she cannot but despise.

Now, was she permitted the same instructors as her brother, (with an eye however to their particular departments) for the employment of a rational mind an ample field would be opened. In astronomy she might catch a glimpse of the immensity of the Deity, and thence she would form amazing conceptions of the august and supreme Intelligence. In geography she would admire Jehova in the midst of his benevolence; thus adapting this globe to the various wants and amusements of its inhabitants. In natural philosophy she would adore the infinite majesty of heaven, clothed in condescension; and as she traversed the reptile world, she would hail the goodness of a creating God. A mind, thus

filled, would have little room for the trifles with which our sex are, with too much justice, accused of amusing themselves, and they would thus be rendered fit companions for those, who should one day wear them as their crown. Fashions, in their variety, would then give place to conjectures, which might perhaps conduce to the improvement of the literary world; and there would be no leisure for slander or detraction. Reputation would not then be blasted, but serious speculations would occupy the lively imaginations of the sex. Unnecessary visits would be precluded, and that custom would only be indulged by way of relaxation, or to answer the demands of consanguinity and friendship. Females would become discreet, their judgments would be invigorated, and their partners for life being circumspectly chosen, an unhappy Hymen would then be as rare, as is now the reverse.

Will it be urged that those acquirements would supersede our domestick duties. I answer that every requisite in female economy is easily attained; and, with truth I can add, that when once attained, they require no further mental attention. Nay, while we are pursuing the needle, or the superintendency of the family, I repeat, that our minds are at full liberty for reflection; that imagination may exert itself in full vigour; and that if a just foundation is early laid, our ideas will then be worthy of rational beings. If we were industrious we might easily find time to arrange them upon paper, or should avocations press too hard for such an

indulgence, the hours allotted for conversation would at least become more refined and rational. Should it still be vociferated, "Your domestick employments are sufficient"—I would calmly ask, is it reasonable, that a candidate for immortality, for the joys of heaven, an intelligent being, who is to spend an eternity in contemplating the works of Deity, should at present be so degraded, as to be allowed no other ideas, than those which are suggested by the mechanism of a pudding, or the sewing [of] the seams of a garment? Pity that all such censurers of female improvement do not go one step further, and deny their future existence; to be consistent they surely ought.

Yes, ye lordly, ye haughty sex, our souls are by nature equal to yours; the same breath of God animates, enlivens, and invigorates us; and that we are not fallen lower than yourselves, let those witness who have greatly towered above the various discouragements by which they have been so heavily oppressed; and though I am unacquainted with the list of celebrated characters on either side, yet from the observations I have made in the contracted circle in which I have moved, I dare confidently believe, that from the commencement of time to the present day, there hath been as many females, as males, who, by the mere force of natural powers, have merited the crown of applause; who, thus assisted, have seized the wreath of fame. I know there are [those] who assert, that as the animal powers of the one sex are superior, of course their mental faculties also must be

stronger; thus attributing strength of mind to the transient organization of this earth born tenement. But if this reasoning is just, man must be content to yield the palm to many of the brute creation, since by not a few of his brethren of the field, he is far surpassed in bodily strength. Moreover, was this argument admitted, it would prove too much, for ocular demonstration evinceth, that there are many robust masculine ladies, and effeminate gentlemen. Yet I fancy that Mr. Pope,² though clogged with an enervated body, and distinguished by a diminutive stature, could nevertheless lay claim to greatness of soul; and perhaps there are many other instances which might be adduced to combat so unphilosophical an opinion. Do we not often see, that when the clay built tabernacle is well nigh dissolved, when it is just ready to mingle with the parent soil, the immortal inhabitant aspires to, and even attaineth heights the most sublime, and which were before wholly unexplored. Besides, were we to grant that animal strength proved any thing, taking into consideration the accustomed impartiality of nature, we should be induced to imagine, that she had invested the female mind with superior strength as an equivalent for the bodily powers of man. But waving this however palpable advantage, for equality only, we wish to contend.

I AM aware that there are many passages in the sacred oracles which seem to give the advantage to the other sex; but I consider all these as wholly metaphorical. Thus David³ was a man after God's own heart, yet see him enervated by

his licentious passions! behold him following Uriah⁴ to the death, and shew me wherein could consist the immaculate Being's complacency. Listen to the curses which Job⁵ bestoweth upon the day of his nativity, and tell me where is his perfection, where his patience—literally it existed not. David and Job were types of him who was to come; and the superiority of man, as exhibited in scripture, being also emblematical, all arguments deduced from thence, of course fall to the ground.

The exquisite delicacy of the female mind proclaimeth the exactness of its texture, while its nice sense of honour announceth its innate, its native grandeur. And indeed, in one respect, the preeminence seems to be tacitly allowed us; for after an education which limits and confines, and employments and recreations which naturally tend to enervate the body, and debilitate the mind; after we have from our early youth been adorned with ribbons, and other gewgaws, dressed out like the ancient victims previous to a sacrifice, being taught by the care of our parents in collecting the most showy materials that the ornamenting our exterior ought to be the principal object of our attention; after, I say, fifteen years thus spent, we are introduced into the world, amid the united adulation of every beholder.

Praise is sweet to the soul; we are immediately intoxicated by large draughts of flattery, which being plentifully administered, is to the pride of our hearts the most acceptable incense. It is expected that with the other sex we

should commence immediate war, and that we should triumph over the machinations of the most artful. We must be constantly upon our guard; prudence and discretion must be our characteristicks; and we must rise superiour to, and obtain a complete victory over those who have been long adding to the native strength of their minds, by an unremitting study of men and books, and who have, moreover, conceived from the loose characters which they have seen portrayed in the extensive variety of their reading, a most contemptible opinion of the sex.

Thus unequal, we are, notwithstanding, forced to the combat, and the infamy which is consequent upon the smallest deviation in our conduct, proclaims the high idea which was formed of our native strength; and thus, indirectly at least, is the preference acknowledged to be our due. And if we are allowed an equality of acquirement, let serious studies equally employ our minds, and we will bid our souls arise to equal strength. We will meet upon every ground, the despot man; we will rush with alacrity to the combat, and, crowned by success, we shall then answer the exalted expectations which are formed. Though sensibility, soft compassion, and gentle commiseration, are inmates in the female bosom, yet against every deep laid art, altogether fearless of the event, we will set them in array; for assuredly the wreath of victory will encircle the spotless brow. If we meet an equal, a sensible friend, we will reward him with the hand of amity, and through life we will be assiduous to promote his

happiness; but from every deep laid scheme for our ruin, retiring into ourselves, amid the flowery paths of science, we will indulge in all the refined and sentimental pleasures of contemplation. And should it still be urged, that the studies thus insisted upon would interfere with our more peculiar department, I must further reply, that early hours, and close application, will do wonders; and to her who is from the first dawn of reason taught to fill up time rationally, both the requisites will be easy.

I grant that niggard fortune is too generally unfriendly to the mind; and that much of that valuable treasure, time, is necessarily expended upon the wants of the body; but it should be remembered, that in embarrassed circumstances our companions have as little leisure for literary improvement, as is afforded to us; for most certainly their provident care is at least as requisite as our exertions. Nay, we have even more leisure for sedentary pleasures, as our avocations are more retired, much less laborious, and, as hath been observed, by no means require that avidity of attention which is proper to the employments of the other sex. In high life, or, in other words, where the parties are in possession of affluence, the objection respecting time is wholly obviated, and of course falls to the ground; and it may also be repeated, that many of those hours which are at present swallowed up in fashion and scandal, might be redeemed, were we habituated to useful reflections.

But in one respect, O ye arbiters of our fate! we confess that the superiority is indubitably yours; you are by nature formed for our protectors; we pretend not to vie with you in bodily strength; upon this point we will never contend for victory. Shield us then, we beseech you, from external evils, and in return we will transact your domestick affairs. Yes, your, for are you not equally interested in those matters with ourselves? Is not the elegancy of neatness as agreeable to your sight as to ours; is not the well savoured viand equally delightful to your taste; and doth not your sense of hearing suffer as much, from the discordant sounds prevalent in an ill regulated family, produced by the voices of children and many et ceteras?

CONSTANTIA

By way of supplement to the foregoing pages, I subjoin the following extract from a letter, wrote to a friend in the December of 1780.6

AND now assist me, O thou genius of my sex, while I undertake the arduous task of endeavouring to combat that vulgar, that almost universal error, which hath, it seems, enlisted even Mr. P — under its banners. The superiority of your sex hath, I grant, been time out of mind esteemed a truth incontrovertible; in consequence of which persuasion, every plan of education hath been calculated to establish this favourite tenet. Not long since, weak and presuming as I was, I amused myself with selecting some arguments from nature, reason, and experience, against this so generally

received idea. I confess that to sacred testimonies I had not recourse. I held them to be merely metaphorical, and thus regarding them, I could not persuade myself that there was any propriety in bringing them to decide in this very important debate. However, as you, sir, confine yourself entirely to the sacred oracles, I mean to bend the whole of my artillery against those supposed proofs, which you have from thence provided, and from which you have formed an intrenchment apparently so invulnerable.

And first, to begin with our great progenitors; but here, suffer me to premise, that it is for mental strength I mean to contend, for with respect to animal powers, I yield them undisputed to that sex, which enjoys them in common with the lion, the tyger, and many other beasts of prey; therefore your observations respecting the rib under the arm, at a distance from the head, &c.&c. in no sort mitigate against my view. Well, but the woman was first in the transgression. Strange how blind self love renders you men; were you not wholly absorbed in a partial admiration of your own abilities, you would long since have acknowledged the force of what I am now going to urge. It is true some ignoramuses have absurdly enough informed us, that the beauteous fair of paradise, was seduced from her obedience, by a malignant demon, in the guise of a baleful serpent; but we, who are better informed, know that the fallen spirit presented himself to her view, a shining angel still; for thus, saith the criticks in the Hebrew tongue, ought the word to be rendered. Let us

examine her motive—Hark! the seraph declares that she shall attain a perfection of knowledge; for is there ought which is not comprehended under one or other of the terms good and evil. It doth not appear that she was governed by any one sensual appetite; but merely by a desire of adorning her mind; a laudable ambition fired her soul, and a thirst for knowledge impelled the predilection so fatal in its consequences.

Adam could not plead the same deception; assuredly he was not deceived; nor ought we to admire his superiour strength, or wonder at his sagacity, when we so often confess that example is much more influential than precept. His gentle partner stood before him, a melancholy instance of the direful effects of disobedience; he saw her not possessed of that wisdom which she had fondly hoped to obtain, but he beheld the once blooming female, disrobed of that innocence, which had heretofore rendered her so lovely. To him then deception became impossible, as he had proof positive of the fallacy of the argument, which the deceiver had suggested. What then could be his inducement to burst the barriers, and to fly directly in the face of that command, which immediately from the mouth of [D]eity he had received, since, I say, he could not plead that fascinating stimulus, the accumulation of knowledge, as indisputable conviction was so visibly portrayed before him. What mighty cause impelled him to sacrifice myriads of beings yet unborn, and by one impious act, which he saw would be productive of such fatal

effects, entail undistinguished ruin upon a race of beings, which he was yet to produce. Blush, ye vaunters of fortitude; ye boasters of resolution; ye haughty lords of the creation; blush when ye remember, that he was influenced by no other motive than a bare pusillanimous attachment to a woman! by sentiments so exquisitely soft, that all his sons have, from that period, when they have designed to degrade them, described as highly feminine. Thus it should seem, that all the arts of the grand deceiver (since means adequate to the purpose are, I conceive, invariably pursued) were requisite to mislead our general mother, while the father of mankind forfeited his own, and relinquished the happiness of posterity, merely in compliance with the blandishments of a female.

The subsequent subjection the apostle Paul explains as a figure; after enlarging upon the subject, he adds, "This is a great mystery; but I speak concerning Christ and the church."⁷ Now we know with what consummate wisdom the unerring father of eternity hath formed his plans; all the types which he hath displayed, he hath permitted materially to fail, in the very virtue for which they were famed. The reason for this is obvious, we might otherwise mistake his economy, and render that honour to the creature, which is due only to the creator. I know that Adam was a figure of him who was to come. The grace contained in this figure, is the reason of my rejoicing, and while I am very far from prostrating before the shadow, I yield joyfully in all things

the preeminence to the second federal head. Confiding faith is prefigured by Abraham, yet he exhibits a contrast to affiance, when he says of his fair companion, she is my sister. Gentleness was the characteristick of Moses, yet he hesitated not to reply to Jehovah himself, which unsaintlike tongue he murmured at the waters of strife, and with rash hands he break the tables, which were inscribed by the finger of divinity. David, dignified with the title of the man after God's own heart, and yet how stained was his life. Solomon was celebrated for wisdom, but folly is wrote in legible characters upon his almost every action. Lastly, let us turn our eyes to man in the aggregate. He is manifested as the figure of strength, but that we may not regard him as anything more than a figure, his soul is formed in no sort superiour, but every way equal to the mind of her, who is the emblem of weakness, and whom he hails the gentle companion of his better days.



SECTION 2

Race and Sex during the Civil War Era

Declaration of Sentiments and Resolutions

By ELIZABETH CADY STANTON

Woman's Rights Convention, Held at Seneca Falls, July 19-20, 1848

On the morning of the 19th, the Convention assembled at 11 o'clock. . . . The Declaration of Sentiments, offered for the acceptance of the Convention, was then read by E. C. Stanton. A proposition was made to have it re-read by paragraph, and after much consideration, some changes were

suggested and adopted. The propriety of obtaining the signatures of men to the Declaration was discussed in an animated manner: a vote in favor was given; but concluding that the final decision would be the legitimate business of the next day, it was referred.

[In the afternoon] The reading of the Declaration was called for, an addition having been inserted since the morning session. A vote taken upon the amendment was carried, and papers circulated to obtain signatures. The following resolutions were then read:

Whereas, the great precept of nature is conceded to be, "that man shall pursue his own true and substantial happiness," Blackstone, in his Commentaries, remarks, that this law of Nature being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe, in all countries, and at all times; no human laws are of any validity if contrary to this, and such of them as are valid, derive all their force, and all their validity,



and all their authority, mediately and immediately, from this original; Therefore,

Resolved, That such laws as conflict, in any way, with the true and substantial happiness of woman, are contrary to the great precept of nature, and of no validity; for this is "superior in obligation to any other.

Resolved, That all laws which prevent woman from occupying such a station in society as her conscience shall dictate, or which place her in a position inferior to that of man, are contrary to the great precept of nature, and therefore of no force or authority.

Resolved, That woman is man's equal—was intended to be so by the Creator, and the highest good of the race demands that she should be recognized as such.

Resolved, That the women of this country ought to be enlightened in regard to the laws under which they live, that they may no longer publish their degradation, by declaring themselves satisfied with their present position, nor their ignorance, by asserting that they have all the rights they want.

Resolved, That inasmuch as man, while claiming for himself intellectual superiority, does accord to woman moral superiority, it is pre-eminently his duty to encourage her to speak, and teach, as she has an opportunity, in all religious assemblies.

Resolved, That the same amount of virtue, delicacy, and refinement of behavior, that is required of woman in the social state, should also be required of man, and the same transgressions should be visited with equal severity on both man and woman.

Resolved, That the objection of indelicacy and impropriety, which is so often brought against woman when she addresses a public audience, comes with a very ill grace from those who encourage, by their attendance, her appearance on the stage, in the concert, or in the feasts of the circus.

Resolved, That woman has too long rested satisfied in the circumscribed limits which corrupt customs and a perverted application of the Scriptures have marked out for her, and that it is time she should move in the enlarged sphere which her great Creator has assigned her.

Resolved, That it is the duty of the women of this country to secure to themselves their sacred right to the elective franchise.

Resolved, That the equality of human rights results necessarily from the fact of the identity of the race in capabilities and responsibilities.

Resolved, therefore, That, being invested by the Creator with the same capabilities, and the same consciousness of responsibility for their exercise, it is demonstrably the right and duty of woman, equally with man, to promote every righteous cause, by every righteous means; and especially in

regard to the great subjects of morals and religion, it is self-evidently her right to participate with her brother in teaching them, both in private and in public, by writing and by speaking, by any instrumentalities proper to be used, and in any assemblies proper to be held; and this being a self-evident truth, growing out of the divinely implanted principles of human nature, any custom or authority adverse to it, whether modern or wearing the hoary sanction of antiquity, is to be regarded as self-evident falsehood, and at war with the interests of mankind.

Thursday Morning.

The Convention assembled at the hour appointed, James Mott, of Philadelphia, in the Chair. The minutes of the previous day having been read, E. C. Stanton again read the Declaration of Sentiments, which was freely discussed . . . and was unanimously adopted, as follows:

Declaration of Sentiments.

When, in the course of human events, it becomes necessary for one portion of the family of man to assume among the people of the earth a position different from that which they have hitherto occupied, but one to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes that impel them to such a course.

We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their

Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of Government becomes destructive of these ends, it is the right of those who suffer from it to refuse allegiance to it, and to insist upon the institution of a new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of the women under this government, and such is now the necessity which constrains them to demand the equal station to which they are entitled.

The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her. To prove this, let facts be submitted to a candid world.

He has never permitted her to exercise her inalienable right to the elective franchise.

He has compelled her to submit to laws, in the formation of which she had no voice.

He has withheld from her rights which are given to the most ignorant and degraded men—both natives and foreigners.

Having deprived her of this first right of a citizen, the elective franchise, thereby leaving her without representation in the halls of legislation, he has oppressed her on all sides.

He has made her, if married, in the eye of the law, civilly dead.

He has taken from her all right in property, even to the wages she earns.

He has made her, morally, an irresponsible being, as she can commit many crimes with impunity, provided they be done in the presence of her husband. In the covenant of marriage, she is compelled to promise obedience to her husband, he becoming, to all intents and purposes, her master—the law giving him power to deprive her of her liberty, and to administer chastisement.

He has so framed the laws of divorce, as to what shall be the proper causes of divorce; in case of separation, to whom the guardianship of the children shall be given; as to be wholly regardless of the happiness of women—the law, in all cases,

going upon the false supposition of the supremacy of man, and giving all power into his hands.

After depriving her of all rights as a married woman, if single and the owner of property, he has taxed her to support a government which recognizes her only when her property can be made profitable to it.

He has monopolized nearly all the profitable employments, and from those she is permitted to follow, she receives but a scanty remuneration.

He closes against her all the avenues to wealth and distinction, which he considers most honorable to himself. As a teacher of theology, medicine, or law, she is not known.

He has denied her the facilities for obtaining a thorough education—all colleges being closed against her.

He allows her in Church as well as State, but a subordinate position, claiming Apostolic authority for her exclusion from

the
ministry,
and, with
some
exceptions,
from any
public



participation in the affairs of the Church.

He has created a false public sentiment, by giving to the world a different code of morals for men and women, by which moral delinquencies which exclude women from society, are not only tolerated but deemed of little account in man.

He has usurped the prerogative of Jehovah himself, claiming it as his right to assign for her a sphere of action, when that belongs to her conscience and her God.

He has endeavored, in every way that he could to destroy her confidence in her own powers, to lessen her self-respect, and to make her willing to lead a dependent and abject life.

Now, in view of this entire disfranchisement of one-half the people of this country, their social and religious degradation,—in view of the unjust laws above mentioned, and because women do feel themselves aggrieved, oppressed, and fraudulently deprived of their most sacred rights, we insist that they have immediate admission to all the rights and privileges which belong to them as citizens of these United States.

In entering upon the great work before us, we anticipate no small amount of misconception, misrepresentation, and ridicule; but we shall use every instrumentality within our power to effect our object. We shall employ agents, circulate

tracts, petition the State and national Legislatures, and endeavor to enlist the pulpit and the press in our behalf. We hope this Convention will be followed by a series of Conventions, embracing every part of the country.

Firmly relying upon the final triumph of the Right and the True, we do this day affix our signatures to this declaration.

At the appointed hour the meeting convened. The minutes having been read, the resolutions of the day before were read and taken up separately. Some, from their self-evident truth, elicited but little remark; others, after some criticism, much debate, and some slight alterations, were finally passed by a large majority.

[At an evening session] Lucretia Mott offered and spoke to the following resolution:

Resolved, That the speedy success of our cause depends upon the zealous and untiring efforts of both men and women, for the overthrow of the monopoly of the pulpit, and for the securing to woman an equal participation with men in the various trades, professions and commerce.

The Resolution was adopted.

Report of the Woman's Rights Convention, Held at Seneca Falls, N.Y., July 19th and 20th, 1848 (Rochester, 1848).



What to the Slave is the Fourth of July?

By FREDERICK DOUGLAS



July 5, 1852

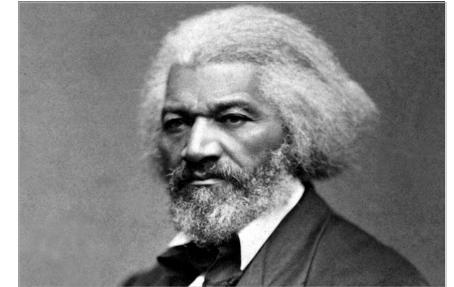
Mr. President, Friends and Fellow Citizens:

He who could address this audience without a quailing sensation, has stronger nerves than I have. I do not remember ever to have appeared as a speaker before any assembly more shrinkingly, nor with greater distrust of my ability, than I do this day. A feeling has crept over me, quite unfavorable to the exercise of my limited powers of speech.

The task before me is one which requires much previous thought and study for its proper performance. I know that apologies of this sort are generally considered flat and unmeaning. I trust, however, that mine will not be so considered. Should I seem at ease, my appearance would much misrepresent me. The little experience I have had in addressing public meetings, in country schoolhouses, avails me nothing on the present occasion.

The papers and placards say, that I am to deliver a 4th [of] July oration. This certainly sounds large, and out of the common way, for it is true that I have often had the privilege to speak in this beautiful Hall, and to address many who now honor me with their presence. But neither their familiar faces, nor the perfect gage I think I have of Corinthian Hall, seems to free me from embarrassment.

The fact is, ladies and gentlemen, the distance between this platform and the slave plantation, from which I escaped, is considerable—and the difficulties to be overcome in getting from the latter to the former, are by no means slight. That I am here to-day is, to me, a matter of astonishment as well as of gratitude. You will not, therefore, be surprised, if in what I have to say. I evince no elaborate preparation, nor grace my speech with any high sounding exordium. With little



experience and with less learning, I have been able to throw my thoughts hastily and imperfectly together; and trusting to your patient and generous indulgence, I will proceed to lay them before you.

This, for the purpose of this celebration, is the 4th of July. It is the birthday of your National Independence, and of your political freedom. This, to you, is what the Passover was to the emancipated people of God. It carries your minds back to the day, and to the act of your great deliverance; and to the signs, and to the wonders, associated with that act, and that day. This celebration also marks the beginning of another year of your national life; and reminds you that the Republic of America is now 76 years old. I am glad, fellow-citizens, that your nation is so young. Seventy-six years, though a good old age for a man, is but a mere speck in the life of a nation. Three score years and ten is the allotted time for individual men; but nations number their years by thousands. According to this fact, you are, even now, only in the beginning of your national career, still lingering in the period of childhood. I repeat, I am glad this is so. There is hope in the thought, and hope is much needed, under the dark clouds which lower above the horizon. The eye of the reformer is met with angry flashes, portending disastrous times; but his heart may well beat lighter at the thought that America is young, and that she is still in the impressible stage of her existence. May he not hope that high lessons of wisdom, of justice and of truth, will yet give direction to her destiny?

Were the nation older, the patriot's heart might be sadder, and the reformer's brow heavier. Its future might be shrouded in gloom, and the hope of its prophets go out in sorrow. There is consolation in the thought that America is young. Great streams are not easily turned from channels, worn deep in the course of ages. They may sometimes rise in quiet and stately majesty, and inundate the land, refreshing and fertilizing the earth with their mysterious properties. They may also rise in wrath and fury, and bear away, on their angry waves, the accumulated wealth of years of toil and hardship. They, however, gradually flow back to the same old channel, and flow on as serenely as ever. But, while the river may not be turned aside, it may dry up, and leave nothing behind but the withered branch, and the unsightly rock, to howl in the abyss-sweeping wind, the sad tale of departed glory. As with rivers so with nations.

Fellow-citizens, I shall not presume to dwell at length on the associations that cluster about this day. The simple story of it is that, 76 years ago, the people of this country were British subjects. The style and title of your "sovereign people" (in which you now glory) was not then born. You were under the British Crown. Your fathers esteemed the English Government as the home government; and England as the fatherland. This home government, you know, although a considerable distance from your home, did, in the exercise of its parental prerogatives, impose upon its colonial children,

such restraints, burdens and limitations, as, in its mature judgment, it deemed wise, right and proper.

But, your fathers, who had not adopted the fashionable idea of this day, of the infallibility of government, and the absolute character of its acts, presumed to differ from the home government in respect to the wisdom and the justice of some of those burdens and restraints. They went so far in their excitement as to pronounce the measures of government unjust, unreasonable, and oppressive, and altogether such as ought not to be quietly submitted to. I scarcely need say, fellow-citizens, that my opinion of those measures fully accords with that of your fathers. Such a declaration of agreement on my part would not be worth much to anybody. It would, certainly, prove nothing, as to what part I might have taken, had I lived during the great controversy of 1776. To say now that America was right, and England wrong, is exceedingly easy. Everybody can say it; the dastard, not less than the noble brave, can flippantly descant on the tyranny of England towards the American Colonies. It is fashionable to do so; but there was a time when to pronounce against England, and in favor of the cause of the colonies, tried men's souls. They who did so were accounted in their day, plotters of mischief, agitators and rebels, dangerous men. To side with the right, against the wrong, with the weak against the strong, and with the oppressed against the oppressor! here lies the merit, and the one which, of all others, seems unfashionable in our day. The cause of liberty may be

stabbed by the men who glory in the deeds of your fathers. But, to proceed.

Feeling themselves harshly and unjustly treated by the home government, your fathers, like men of honesty, and men of spirit, earnestly sought redress. They petitioned and remonstrated; they did so in a decorous, respectful, and loyal manner. Their conduct was wholly unexceptionable. This, however, did not answer the purpose. They saw themselves treated with sovereign indifference, coldness and scorn. Yet they persevered. They were not the men to look back.

As the sheet anchor takes a firmer hold, when the ship is tossed by the storm, so did the cause of your fathers grow stronger, as it breasted the chilling blasts of kingly displeasure. The greatest and best of British statesmen admitted its justice, and the loftiest eloquence of the British Senate came to its support. But, with that blindness which seems to be the unvarying characteristic of tyrants, since Pharaoh and his hosts were drowned in the Red Sea, the British Government persisted in the exactions complained of.

The madness of this course, we believe, is admitted now, even by England; but we fear the lesson is wholly lost on our present ruler.

Oppression makes a wise man mad. Your fathers were wise men, and if they did not go mad, they became restive under this treatment. They felt themselves the victims of grievous wrongs, wholly incurable in their colonial capacity. With

brave men there is always a remedy for oppression. Just here, the idea of a total separation of the colonies from the crown was born! It was a startling idea, much more so, than we, at this distance of time, regard it. The timid and the prudent (as has been intimated) of that day, were, of course, shocked and alarmed by it.

Such people lived then, had lived before, and will, probably, ever have a place on this planet; and their course, in respect to any great change, (no matter how great the good to be attained, or the wrong to be redressed by it), may be calculated with as much precision as can be the course of the stars. They hate all changes, but silver, gold and copper change! Of this sort of change they are always strongly in favor.

These people were called Tories in the days of your fathers; and the appellation, probably, conveyed the same idea that is meant by a more modern, though a somewhat less euphonious term, which we often find in our papers, applied to some of our old politicians.

Their opposition to the then dangerous thought was earnest and powerful; but, amid all their terror and affrighted vociferations against it, the alarming and revolutionary idea moved on, and the country with it.

On the 2d of July, 1776, the old Continental Congress, to the dismay of the lovers of ease, and the worshipers of property, clothed that dreadful idea with all the authority of national

sanction. They did so in the form of a resolution; and as we seldom hit upon resolutions, drawn up in our day whose transparency is at all equal to this, it may refresh your minds and help my story if I read it. "Resolved, That these united colonies are, and of right, ought to be free and Independent States; that they are absolved from all allegiance to the British Crown; and that all political connection between them and the State of Great Britain is, and ought to be, dissolved."

Citizens, your fathers made good that resolution. They succeeded; and to-day you reap the fruits of their success. The freedom gained is yours; and you, therefore, may properly celebrate this anniversary. The 4th of July is the first great fact in your nation's history—the very ring-bolt in the chain of your yet undeveloped destiny.

Pride and patriotism, not less than gratitude, prompt you to celebrate and to hold it in perpetual remembrance. I have said that the Declaration of Independence is the ring-bolt to the chain of your nation's destiny; so, indeed, I regard it. The principles contained in that instrument are saving principles. Stand by those principles, be true to them on all occasions, in all places, against all foes, and at whatever cost.

From the round top of your ship of state, dark and threatening clouds may be seen. Heavy billows, like mountains in the distance, disclose to the leeward huge forms of flinty rocks! That bolt drawn, that chain broken, and all is

lost. Cling to this day—cling to it, and to its principles, with the grasp of a storm-tossed mariner to a spar at midnight.

The coming into being of a nation, in any circumstances, is an interesting event. But, besides general considerations, there were peculiar circumstances which make the advent of this republic an event of special attractiveness.

The whole scene, as I look back to it, was simple, dignified and sublime.

The population of the country, at the time, stood at the insignificant number of three millions. The country was poor in the munitions of war. The population was weak and scattered, and the country a wilderness unsubdued. There were then no means of concert and combination, such as exist now. Neither steam nor lightning had then been reduced to order and discipline. From the Potomac to the Delaware was a journey of many days. Under these, and innumerable other disadvantages, your fathers declared for liberty and independence and triumphed.

Fellow Citizens, I am not wanting in respect for the fathers of this republic. The signers of the Declaration of Independence were brave men. They were great men too—great enough to give fame to a great age. It does not often happen to a nation to raise, at one time, such a number of truly great men. The point from which I am compelled to view them is not, certainly, the most favorable; and yet I cannot contemplate their great deeds with less than

admiration. They were statesmen, patriots and heroes, and for the good they did, and the principles they contended for, I will unite with you to honor their memory.

They loved their country better than their own private interests; and, though this is not the highest form of human excellence, all will concede that it is a rare virtue, and that when it is exhibited, it ought to command respect. He who will, intelligently, lay down his life for his country, is a man whom it is not in human nature to despise. Your fathers staked their lives, their fortunes, and their sacred honor, on the cause of their country. In their admiration of liberty, they lost sight of all other interests.

They were peace men; but they preferred revolution to peaceful submission to bondage. They were quiet men; but they did not shrink from agitating against oppression. They showed forbearance; but that they knew its limits. They believed in order; but not in the order of tyranny. With them, nothing was “settled” that was not right. With them, justice, liberty and humanity were “final;” not slavery and oppression. You may well cherish the memory of such men. They were great in their day and generation. Their solid manhood stands out the more as we contrast it with these degenerate times.

How circumspect, exact and proportionate were all their movements! How unlike the politicians of an hour! Their statesmanship looked beyond the passing moment, and stretched away in strength into the distant future. They

seized upon eternal principles, and set a glorious example in their defense. Mark them!

Fully appreciating the hardship to be encountered, firmly believing in the right of their cause, honorably inviting the scrutiny of an on-looking world, reverently appealing to heaven to attest their sincerity, soundly comprehending the solemn responsibility they were about to assume, wisely measuring the terrible odds against them, your fathers, the fathers of this republic, did, most deliberately, under the inspiration of a glorious patriotism, and with a sublime faith in the great principles of justice and freedom, lay deep the corner-stone of the national superstructure, which has risen and still rises in grandeur around you.

Of this fundamental work, this day is the anniversary. Our eyes are met with demonstrations of joyous enthusiasm. Banners and pennants wave exultingly on the breeze. The din of business, too, is hushed. Even Mammon seems to have quitted his grasp on this day. The ear-piercing fife and the stirring drum unite their accents with the ascending peal of a thousand church bells. Prayers are made, hymns are sung, and sermons are preached in honor of this day; while the quick martial tramp of a great and multitudinous nation, echoed back by all the hills, valleys and mountains of a vast continent, bespeak the occasion one of thrilling and universal interest—a nation's jubilee.

Friends and citizens, I need not enter further into the causes which led to this anniversary. Many of you understand them

better than I do. You could instruct me in regard to them. That is a branch of knowledge in which you feel, perhaps, a much deeper interest than your speaker. The causes which led to the separation of the colonies from the British crown have never lacked for a tongue. They have all been taught in your common schools, narrated at your firesides, unfolded from your pulpits, and thundered from your legislative halls, and are as familiar to you as household words. They form the staple of your national poetry and eloquence.

I remember, also, that, as a people, Americans are remarkably familiar with all facts which make in their own favor. This is esteemed by some as a national trait—perhaps a national weakness. It is a fact, that whatever makes for the wealth or for the reputation of Americans, and can be had cheap! will be found by Americans. I shall not be charged with slandering Americans, if I say I think the American side of any question may be safely left in American hands.

I leave, therefore, the great deeds of your fathers to other gentlemen whose claim to have been regularly descended will be less likely to be disputed than mine!

My business, if I have any here to-day, is with the present. The accepted time with God and his cause is the ever-living now.

Trust no future, however pleasant,
Let the dead past bury its dead;

Act, act in the living present,
Heart within, and God overhead.

We have to do with the past only as we can make it useful to the present and to the future. To all inspiring motives, to noble deeds which can be gained from the past, we are welcome. But now is the time, the important time. Your fathers have lived, died, and have done their work, and have done much of it well. You live and must die, and you must do your work. You have no right to enjoy a child's share in the labor of your fathers, unless your children are to be blest by your labors. You have no right to wear out and waste the hard-earned fame of your fathers to cover your indolence. Sydney Smith tells us that men seldom eulogize the wisdom and virtues of their fathers, but to excuse some folly or wickedness of their own. This truth is not a doubtful one. There are illustrations of it near and remote, ancient and modern. It was fashionable, hundreds of years ago, for the children of Jacob to boast, we have "Abraham to our father," when they had long lost Abraham's faith and spirit. That people contented themselves under the shadow of Abraham's great name, while they repudiated the deeds which made his name great. Need I remind you that a similar thing is being done all over this country to-day? Need I tell you that the Jews are not the only people who built the tombs of the prophets, and garnished the sepulchres of the righteous? Washington could not die till he had broken the chains of his slaves. Yet his monument is built up by the price of human

blood, and the traders in the bodies and souls of men shout — "We have Washington to our father." — Alas! that it should be so; yet so it is.

The evil that men do, lives after them, The good is oft-interred with their bones.

Fellow-citizens, pardon me, allow me to ask, why am I called upon to speak here to-day? What have I, or those I represent, to do with your national independence? Are the great principles of political freedom and of natural justice, embodied in that Declaration of Independence, extended to us? and am I, therefore, called upon to bring our humble offering to the national altar, and to confess the benefits and express devout gratitude for the blessings resulting from your independence to us?

Would to God, both for your sakes and ours, that an affirmative answer could be truthfully returned to these questions! Then would my task be light, and my burden easy and delightful. For who is there so cold, that a nation's sympathy could not warm him? Who so obdurate and dead to the claims of gratitude, that would not thankfully acknowledge such priceless benefits? Who so stolid and selfish, that would not give his voice to swell the hallelujahs of a nation's jubilee, when the chains of servitude had been torn from his limbs? I am not that man. In a case like that, the dumb might eloquently speak, and the "lame man leap as an hart."

But, such is not the state of the case. I say it with a sad sense of the disparity between us. I am not included within the pale of this glorious anniversary! Your high independence only reveals the immeasurable distance between us. The blessings in which you, this day, rejoice, are not enjoyed in common.

— The rich inheritance of justice, liberty, prosperity and independence, bequeathed by your fathers, is shared by you, not by me. The sunlight that brought life and healing to you, has brought stripes and death to me. This Fourth [of] July is yours, not mine. You may rejoice, I must mourn. To drag a man in fetters into the grand illuminated temple of liberty, and call upon him to join you in joyous anthems, were inhuman mockery and sacrilegious irony. Do you mean, citizens, to mock me, by asking me to speak to-day? If so, there is a parallel to your conduct. And let me warn you that it is dangerous to copy the example of a nation whose crimes, lowering up to heaven, were thrown down by the breath of the Almighty, burying that nation in irrecoverable ruin! I can to-day take up the plaintive lament of a peeled and woesmitten people!

"By the rivers of Babylon, there we sat down. Yea! we wept when we remembered Zion. We hanged our harps upon the willows in the midst thereof. For there, they that carried us away captive, required of us a song; and they who wasted us required of us mirth, saying, Sing us one of the songs of Zion. How can we sing the Lord's song in a strange land? If I forget thee, O Jerusalem, let my right hand forget her

cunning. If I do not remember thee, let my tongue cleave to the roof of my mouth."

Fellow-citizens; above your national, tumultuous joy, I hear the mournful wail of millions! whose chains, heavy and grievous yesterday, are, to-day, rendered more intolerable by the jubilee shouts that reach them. If I do forget, if I do not faithfully remember those bleeding children of sorrow this day, "may my right hand forget her cunning, and may my tongue cleave to the roof of my mouth!" To forget them, to pass lightly over their wrongs, and to chime in with the popular theme, would be treason most scandalous and shocking, and would make me a reproach before God and the world. My subject, then fellow-citizens, is AMERICAN SLAVERY. I shall see, this day, and its popular characteristics, from the slave's point of view. Standing, there, identified with the American bondman, making his wrongs mine, I do not hesitate to declare, with all my soul, that the character and conduct of this nation never looked blacker to me than on this 4th of July! Whether we turn to the declarations of the past, or to the professions of the present, the conduct of the nation seems equally hideous and revolting. America is false to the past, false to the present, and solemnly binds herself to be false to the future. Standing with God and the crushed and bleeding slave on this occasion, I will, in the name of humanity which is outraged, in the name of liberty which is fettered, in the name of the constitution and the Bible, which are disregarded and

trampled upon, dare to call in question and to denounce, with all the emphasis I can command, everything that serves to perpetuate slavery—the great sin and shame of America! “I will not equivocate; I will not excuse;” I will use the severest language I can command; and yet not one word shall escape me that any man, whose judgment is not blinded by prejudice, or who is not at heart a slaveholder, shall not confess to be right and just.

But I fancy I hear some one of my audience say, it is just in this circumstance that you and your brother abolitionists fail to make a favorable impression on the public mind. Would you argue more, and denounce less, would you persuade more, and rebuke less, your cause would be much more likely to succeed. But, I submit, where all is plain there is nothing to be argued. What point in the anti-slavery creed would you have me argue? On what branch of the subject do the people of this country need light? Must I undertake to prove that the slave is a man? That point is conceded already. Nobody doubts it. The slaveholders themselves acknowledge it in the enactment of laws for their government. They acknowledge it when they punish disobedience on the part of the slave. There are seventy-two crimes in the State of Virginia, which, if committed by a black man, (no matter how ignorant he be), subject him to the punishment of death; while only two of the same crimes will subject a white man to the like punishment. What is this but the acknowledgement that the slave is a moral, intellectual and responsible being?

The manhood of the slave is conceded. It is admitted in the fact that Southern statute books are covered with enactments forbidding, under severe fines and penalties, the teaching of the slave to read or to write. When you can point to any such laws, in reference to the beasts of the field, then I may consent to argue the manhood of the slave. When the dogs in your streets, when the fowls of the air, when the cattle on your hills, when the fish of the sea, and the reptiles that crawl, shall be unable to distinguish the slave from a brute, then will I argue with you that the slave is a man!

For the present, it is enough to affirm the equal manhood of the Negro race. Is it not astonishing that, while we are ploughing, planting and reaping, using all kinds of mechanical tools, erecting houses, constructing bridges, building ships, working in metals of brass, iron, copper, silver and gold; that, while we are reading, writing and cyphering, acting as clerks, merchants and secretaries, having among us lawyers, doctors, ministers, poets, authors, editors, orators and teachers; that, while we are engaged in all manner of enterprises common to other men, digging gold in California, capturing the whale in the Pacific, feeding sheep and cattle on the hill-side, living, moving, acting, thinking, planning, living in families as husbands, wives and children, and, above all, confessing and worshipping the Christian’s God, and looking hopefully for life and immortality beyond the grave, we are called upon to prove that we are men!

Would you have me argue that man is entitled to liberty? that he is the rightful owner of his own body? You have already declared it. Must I argue the wrongfulness of slavery? Is that a question for Republicans? Is it to be settled by the rules of logic and argumentation, as a matter beset with great difficulty, involving a doubtful application of the principle of justice, hard to be understood? How should I look to-day, in the presence of Americans, dividing, and subdividing a discourse, to show that men have a natural right to freedom? speaking of it relatively, and positively, negatively, and affirmatively. To do so, would be to make myself ridiculous, and to offer an insult to your understanding.—There is not a man beneath the canopy of heaven, that does not know that slavery is wrong for him.

What, am I to argue that it is wrong to make men brutes, to rob them of their liberty, to work them without wages, to keep them ignorant of their relations to their fellow men, to beat them with sticks, to flay their flesh with the lash, to load their limbs with irons, to hunt them with dogs, to sell them at auction, to sunder their families, to knock out their teeth, to bum their flesh, to starve them into obedience and submission to their masters? Must I argue that a system thus marked with blood, and stained with pollution, is wrong? No! I will not. I have better employments for my time and strength than such arguments would imply.

What, then, remains to be argued? Is it that slavery is not divine; that God did not establish it; that our doctors of

divinity are mistaken? There is blasphemy in the thought. That which is inhuman, cannot be divine! Who can reason on such a proposition? They that can, may; I cannot. The time for such argument is passed.

At a time like this, scorching irony, not convincing argument, is needed. O! had I the ability, and could I reach the nation's ear, I would, to-day, pour out a fiery stream of biting ridicule, blasting reproach, withering sarcasm, and stern rebuke. For it is not light that is needed, but fire; it is not the gentle shower, but thunder. We need the storm, the whirlwind, and the earthquake. The feeling of the nation must be quickened; the conscience of the nation must be roused; the propriety of the nation must be startled; the hypocrisy of the nation must be exposed; and its crimes against God and man must be proclaimed and denounced.

What, to the American slave, is your 4th of July? I answer: a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciations of tyrants, brass fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and thanksgivings, with all your religious parade, and solemnity, are, to him, mere bombast, fraud, deception, impiety, and hypocrisy—a thin veil to cover up crimes which would disgrace a nation of savages. There is

not a nation on the earth guilty of practices, more shocking and bloody, than are the people of these United States, at this very hour.

Go where you may, search where you will, roam through all the monarchies and despotisms of the old world, travel through South America, search out every abuse, and when you have found the last, lay your facts by the side of the everyday practices of this nation, and you will say with me, that, for revolting barbarity and shameless hypocrisy, America reigns without a rival.

Take the American slave-trade, which, we are told by the papers, is especially prosperous just now. Ex-Senator Benton tells us that the price of men was never higher than now. He mentions the fact to show that slavery is in no danger. This trade is one of the peculiarities of American institutions. It is carried on in all the large towns and cities in one-half of this confederacy; and millions are pocketed every year, by dealers in this horrid traffic. In several states, this trade is a chief source of wealth. It is called (in contradistinction to the foreign slave-trade) "the internal slave trade." It is, probably, called so, too, in order to divert from it the horror with which the foreign slave-trade is contemplated. That trade has long since been denounced by this government, as piracy. It has been denounced with burning words, from the high places of the nation, as an execrable traffic. To arrest it, to put an end to it, this nation keeps a squadron, at immense cost, on the coast of Africa. Everywhere, in this country, it is safe to

speak of this foreign slave-trade, as a most inhuman traffic, opposed alike to the laws of God and of man. The duty to extirpate and destroy it, is admitted even by our DOCTORS OF DIVINITY. In order to put an end to it, some of these last have consented that their colored brethren (nominally free) should leave this country, and establish themselves on the western coast of Africa! It is, however, a notable fact that, while so much execration is poured out by Americans upon those engaged in the foreign slave-trade, the men engaged in the slave-trade between the states pass without condemnation, and their business is deemed honorable.

Behold the practical operation of this internal slave-trade, the American slave-trade, sustained by American politics and America religion. Here you will see men and women reared like swine for the market. You know what is a swine-drover? I will show you a man-drover. They inhabit all our Southern States. They perambulate the country, and crowd the highways of the nation, with droves of human stock. You will see one of these human flesh-jobbers, armed with pistol, whip and bowie-knife, driving a company of a hundred men, women, and children, from the Potomac to the slave market at New Orleans. These wretched people are to be sold singly, or in lots, to suit purchasers. They are food for the cotton-field, and the deadly sugar-mill. Mark the sad procession, as it moves wearily along, and the inhuman wretch who drives them. Hear his savage yells and his blood-chilling oaths, as he hurries on his affrighted captives! There, see the old man,

with locks thinned and gray. Cast one glance, if you please, upon that young mother, whose shoulders are bare to the scorching sun, her briny tears falling on the brow of the babe in her arms. See, too, that girl of thirteen, weeping, yes! weeping, as she thinks of the mother from whom she has been torn! The drove moves tardily. Heat and sorrow have nearly consumed their strength; suddenly you hear a quick snap, like the discharge of a rifle; the fetters clank, and the chain rattles simultaneously; your ears are saluted with a scream, that seems to have torn its way to the center of your soul! The crack you heard, was the sound of the slave-whip; the scream you heard, was from the woman you saw with the babe. Her speed had faltered under the weight of her child and her chains! that gash on her shoulder tells her to move on. Follow the drove to New Orleans. Attend the auction; see men examined like horses; see the forms of women rudely and brutally exposed to the shocking gaze of American slave-buyers. See this drove sold and separated forever; and never forget the deep, sad sobs that arose from that scattered multitude. Tell me citizens, WHERE, under the sun, you can witness a spectacle more fiendish and shocking. Yet this is but a glance at the American slave-trade, as it exists, at this moment, in the ruling part of the United States.

I was born amid such sights and scenes. To me the American slave-trade is a terrible reality. When a child, my soul was often pierced with a sense of its horrors. I lived on Philpot Street, Fell's Point, Baltimore, and have watched from the

wharves, the slave ships in the Basin, anchored from the shore, with their cargoes of human flesh, waiting for favorable winds to waft them down the Chesapeake. There was, at that time, a grand slave mart kept at the head of Pratt Street, by Austin Woldfolk. His agents were sent into every town and county in Maryland, announcing their arrival, through the papers, and on flaming "hand-bills," headed CASH FOR NEGROES. These men were generally well dressed men, and very captivating in their manners. Ever ready to drink, to treat, and to gamble. The fate of many a slave has depended upon the turn of a single card; and many a child has been snatched from the arms of its mother by bargains arranged in a state of brutal drunkenness.

The flesh-mongers gather up their victims by dozens, and drive them, chained, to the general depot at Baltimore. When a sufficient number have been collected here, a ship is chartered, for the purpose of conveying the forlorn crew to Mobile, or to New Orleans. From the slave prison to the ship, they are usually driven in the darkness of night; for since the antislavery agitation, a certain caution is observed.

In the deep still darkness of midnight, I have been often aroused by the dead heavy footsteps, and the piteous cries of the chained gangs that passed our door. The anguish of my boyish heart was intense; and I was often consoled, when speaking to my mistress in the morning, to hear her say that the custom was very wicked; that she hated to hear the rattle

of the chains, and the heart-rending cries. I was glad to find one who sympathized with me in my horror.

Fellow-citizens, this murderous traffic is, to-day, in active operation in this boasted republic. In the solitude of my spirit, I see clouds of dust raised on the highways of the South; I see the bleeding footsteps; I hear the doleful wail of fettered humanity, on the way to the slave-markets, where the victims are to be sold like horses, sheep, and swine, knocked off to the highest bidder. There I see the tenderest ties ruthlessly broken, to gratify the lust, caprice and rapacity of the buyers and sellers of men. My soul sickens at the sight.

Is this the land your Fathers loved,
The freedom which they toiled to win?
Is this the earth whereon they moved?
Are these the graves they slumber in?

But a still more inhuman, disgraceful, and scandalous state of things remains to be presented. By an act of the American Congress, not yet two years old, slavery has been nationalized in its most horrible and revolting form. By that act, Mason and Dixon's line has been obliterated; New York has become as Virginia; and the power to hold, hunt, and sell men, women, and children as slaves remains no longer a mere state institution, but is now an institution of the whole United States. The power is co-extensive with the Star-Spangled Banner and American Christianity. Where these go, may also go the merciless slave-hunter. Where these are, man is not sacred. He is a bird for the sportsman's gun. By

that most foul and fiendish of all human decrees, the liberty and person of every man are put in peril. Your broad republican domain is hunting ground for men. Not for thieves and robbers, enemies of society, merely, but for men guilty of no crime. Your lawmakers have commanded all good citizens to engage in this hellish sport. Your President, your Secretary of State, your lords, nobles, and ecclesiastics, enforce, as a duty you owe to your free and glorious country, and to your God, that you do this accursed thing. Not fewer than forty Americans have, within the past two years, been hunted down and, without a moment's warning, hurried away in chains, and consigned to slavery and excruciating torture. Some of these have had wives and children, dependent on them for bread; but of this, no account was made. The right of the hunter to his prey stands superior to the right of marriage, and to all rights in this republic, the rights of God included! For black men there are neither law, justice, humanity, nor religion. The Fugitive Slave Law makes mercy to them a crime; and bribes the judge who tries them. An American judge gets ten dollars for every victim he consigns to slavery, and five, when he fails to do so. The oath of any two villains is sufficient, under this hell-black enactment, to send the most pious and exemplary black man into the remorseless jaws of slavery! His own testimony is nothing. He can bring no witnesses for himself. The minister of American justice is bound by the law to hear but one side; and that side, is the side of the oppressor. Let this damning fact be perpetually told. Let it be thundered around the

world, that, in tyrant-killing, king-hating, people-loving, democratic, Christian America, the seats of justice are filled with judges, who hold their offices under an open and palpable bribe, and are bound, in deciding in the case of a man's liberty, hear only his accusers!

In glaring violation of justice, in shameless disregard of the forms of administering law, in cunning arrangement to entrap the defenseless, and in diabolical intent, this Fugitive Slave Law stands alone in the annals of tyrannical legislation. I doubt if there be another nation on the globe, having the brass and the baseness to put such a law on the statute-book. If any man in this assembly thinks differently from me in this matter, and feels able to disprove my statements, I will gladly confront him at any suitable time and place he may select.

I take this law to be one of the grossest infringements of Christian Liberty, and, if the churches and ministers of our country were not stupidly blind, or most wickedly indifferent, they, too, would so regard it.

At the very moment that they are thanking God for the enjoyment of civil and religious liberty, and for the right to worship God according to the dictates of their own consciences, they are utterly silent in respect to a law which robs religion of its chief significance, and makes it utterly worthless to a world lying in wickedness. Did this law concern the "mint, anise, and cumin"—abridge the right to sing psalms, to partake of the sacrament, or to engage in any of the ceremonies of religion, it would be smitten by the

thunder of a thousand pulpits. A general shout would go up from the church, demanding repeal, repeal, instant repeal!—And it would go hard with that politician who presumed to solicit the votes of the people without inscribing this motto on his banner. Further, if this demand were not complied with, another Scotland would be added to the history of religious liberty, and the stern old Covenanters would be thrown into the shade. A John Knox would be seen at every church door, and heard from every pulpit, and Fillmore would have no more quarter than was shown by Knox, to the beautiful, but treacherous queen Mary of Scotland. The fact that the church of our country, (with fractional exceptions), does not esteem "the Fugitive Slave Law" as a declaration of war against religious liberty, implies that that church regards religion simply as a form of worship, an empty ceremony, and not a vital principle, requiring active benevolence, justice, love and good will towards man. It esteems sacrifice above mercy; psalm-singing above right doing; solemn meetings above practical righteousness. A worship that can be conducted by persons who refuse to give shelter to the houseless, to give bread to the hungry, clothing to the naked, and who enjoin obedience to a law forbidding these acts of mercy, is a curse, not a blessing to mankind. The Bible addresses all such persons as "scribes, Pharisees, hypocrites, who pay tithe of mint, anise, and cumin, and have omitted the weightier matters of the law, judgment, mercy and faith."

But the church of this country is not only indifferent to the wrongs of the slave, it actually takes sides with the oppressors. It has made itself the bulwark of American slavery, and the shield of American slave-hunters. Many of its most eloquent Divines, who stand as the very lights of the church, have shamelessly given the sanction of religion and the Bible to the whole slave system. They have taught that man may, properly, be a slave; that the relation of master and slave is ordained of God; that to send back an escaped bondman to his master is clearly the duty of all the followers of the Lord Jesus Christ; and this horrible blasphemy is palmed off upon the world for Christianity.

For my part, I would say, welcome infidelity! welcome atheism! welcome anything! in preference to the gospel, as preached by those Divines! They convert the very name of religion into an engine of tyranny, and barbarous cruelty, and serve to confirm more infidels, in this age, than all the infidel writings of Thomas Paine, Voltaire, and Bolingbroke, put together, have done! These ministers make religion a cold and flinty-hearted thing, having neither principles of right action, nor bowels of compassion. They strip the love of God of its beauty, and leave the throng of religion a huge, horrible, repulsive form. It is a religion for oppressors, tyrants, man-stealers, and thugs. It is not that "pure and undefiled religion" which is from above, and which is "first pure, then peaceable, easy to be entreated, full of mercy and good fruits, without partiality, and without hypocrisy." But a

religion which favors the rich against the poor; which exalts the proud above the humble; which divides mankind into two classes, tyrants and slaves; which says to the man in chains, stay there; and to the oppressor, oppress on; it is a religion which may be professed and enjoyed by all the robbers and enslavers of mankind; it makes God a respecter of persons, denies his fatherhood of the race, and tramples in the dust the great truth of the brotherhood of man. All this we affirm to be true of the popular church, and the popular worship of our land and nation – a religion, a church, and a worship which, on the authority of inspired wisdom, we pronounce to be an abomination in the sight of God. In the language of Isaiah, the American church might be well addressed, "Bring no more vain ablutions; incense is an abomination unto me: the new moons and Sabbaths, the calling of assemblies, I cannot away with; it is iniquity even the solemn meeting. Your new moons and your appointed feasts my soul hateth. They are a trouble to me; I am weary to bear them; and when ye spread forth your hands I will hide mine eyes from you. Yea! when ye make many prayers, I will not hear. YOUR HANDS ARE FULL OF BLOOD; cease to do evil, learn to do well; seek judgment; relieve the oppressed; judge for the fatherless; plead for the widow."

The American church is guilty, when viewed in connection with what it is doing to uphold slavery; but it is superlatively guilty when viewed in connection with its ability to abolish slavery. The sin of which it is guilty is one of omission as well

as of commission. Albert Barnes but uttered what the common sense of every man at all observant of the actual state of the case will receive as truth, when he declared that "There is no power out of the church that could sustain slavery an hour, if it were not sustained in it."

Let the religious press, the pulpit, the Sunday school, the conference meeting, the great ecclesiastical, missionary, Bible and tract associations of the land array their immense powers against slavery and slave-holding; and the whole system of crime and blood would be scattered to the winds; and that they do not do this involves them in the most awful responsibility of which the mind can conceive.

In prosecuting the anti-slavery enterprise, we have been asked to spare the church, to spare the ministry; but how, we ask, could such a thing be done? We are met on the threshold of our efforts for the redemption of the slave, by the church and ministry of the country, in battle arrayed against us; and we are compelled to fight or flee. From what quarter, I beg to know, has proceeded a fire so deadly upon our ranks, during the last two years, as from the Northern pulpit? As the champions of oppressors, the chosen men of American theology have appeared—men, honored for their so-called piety, and their real learning. The Lords of Buffalo, the Springs of New York, the Lathrops of Auburn, the Coxes and Spencers of Brooklyn, the Gannets and Sharps of Boston, the Deweys of Washington, and other great religious lights of the land have, in utter denial of the authority of Him

by whom the professed to be called to the ministry, deliberately taught us, against the example or the Hebrews and against the remonstrance of the Apostles, they teach that we ought to obey man's law before the law of God.

My spirit wearies of such blasphemy; and how such men can be supported, as the "standing types and representatives of Jesus Christ," is a mystery which I leave others to penetrate. In speaking of the American church, however, let it be distinctly understood that I mean the great mass of the religious organizations of our land. There are exceptions, and I thank God that there are. Noble men may be found, scattered all over these Northern States, of whom Henry Ward Beecher of Brooklyn, Samuel J. May of Syracuse, and my esteemed friend (Rev. R. R. Raymond) on the platform, are shining examples; and let me say further, that upon these men lies the duty to inspire our ranks with high religious faith and zeal, and to cheer us on in the great mission of the slave's redemption from his chains.

One is struck with the difference between the attitude of the American church towards the anti-slavery movement, and that occupied by the churches in England towards a similar movement in that country. There, the church, true to its mission of ameliorating, elevating, and improving the condition of mankind, came forward promptly, bound up the wounds of the West Indian slave, and restored him to his liberty. There, the question of emancipation was a high religious question. It was demanded, in the name of

humanity, and according to the law of the living God. The Sharps, the Clarksons, the Wilberforces, the Buxtons, and Burchells and the Knibbs, were alike famous for their piety, and for their philanthropy. The anti-slavery movement there was not an anti-church movement, for the reason that the church took its full share in prosecuting that movement: and the anti-slavery movement in this country will cease to be an anti-church movement, when the church of this country shall assume a favorable, instead or a hostile position towards that movement. Americans! your republican politics, not less than your republican religion, are flagrantly inconsistent. You boast of your love of liberty, your superior civilization, and your pure Christianity, while the whole political power of the nation (as embodied in the two great political parties), is solemnly pledged to support and perpetuate the enslavement of three millions of your countrymen. You hurl your anathemas at the crowned headed tyrants of Russia and Austria, and pride yourselves on your Democratic institutions, while you yourselves consent to be the mere tools and body-guards of the tyrants of Virginia and Carolina. You invite to your shores fugitives of oppression from abroad, honor them with banquets, greet them with ovations, cheer them, toast them, salute them, protect them, and pour out your money to them like water; but the fugitives from your own land you advertise, hunt, arrest, shoot and kill. You glory in your refinement and your universal education yet you maintain a system as barbarous and dreadful as ever stained the character of a nation—a

system begun in avarice, supported in pride, and perpetuated in cruelty. You shed tears over fallen Hungary, and make the sad story of her wrongs the theme of your poets, statesmen and orators, till your gallant sons are ready to fly to arms to vindicate her cause against her oppressors; but, in regard to the ten thousand wrongs of the American slave, you would enforce the strictest silence, and would hail him as an enemy of the nation who dares to make those wrongs the subject of public discourse! You are all on fire at the mention of liberty for France or for Ireland; but are as cold as an iceberg at the thought of liberty for the enslaved of America. You discourse eloquently on the dignity of labor; yet, you sustain a system which, in its very essence, casts a stigma upon labor. You can bare your bosom to the storm of British artillery to throw off a threepenny tax on tea; and yet wring the last hard-earned farthing from the grasp of the black laborers of your country. You profess to believe "that, of one blood, God made all nations of men to dwell on the face of all the earth," and hath commanded all men, everywhere to love one another; yet you notoriously hate, (and glory in your hatred), all men whose skins are not colored like your own. You declare, before the world, and are understood by the world to declare, that you "hold these truths to be self evident, that all men are created equal; and are endowed by their Creator with certain inalienable rights; and that, among these are, life, liberty, and the pursuit of happiness;" and yet, you hold securely, in a bondage which, according to your own Thomas Jefferson, "is worse than ages of that which your fathers rose in

rebellion to oppose," a seventh part of the inhabitants of your country.

Fellow-citizens! I will not enlarge further on your national inconsistencies. The existence of slavery in this country brands your republicanism as a sham, your humanity as a base pretence, and your Christianity as a lie. It destroys your moral power abroad; it corrupts your politicians at home. It saps the foundation of religion; it makes your name a hissing, and a by word to a mocking earth. It is the antagonistic force in your government, the only thing that seriously disturbs and endangers your Union. It fetters your progress; it is the enemy of improvement, the deadly foe of education; it fosters pride; it breeds insolence; it promotes vice; it shelters crime; it is a curse to the earth that supports it; and yet, you cling to it, as if it were the sheet anchor of all your hopes. Oh! be warned! be warned! a horrible reptile is coiled up in your nation's bosom; the venomous creature is nursing at the tender breast of your youthful republic; for the love of God, tear away, and fling from you the hideous monster, and let the weight of twenty millions crush and destroy it forever!

But it is answered in reply to all this, that precisely what I have now denounced is, in fact, guaranteed and sanctioned by the Constitution of the United States; that the right to hold and to hunt slaves is a part of that Constitution framed by the illustrious Fathers of this Republic.

Then, I dare to affirm, notwithstanding all I have said before, your fathers stooped, basely stooped

To palter with us in a double sense:
And keep the word of promise to the ear,
But break it to the heart.

And instead of being the honest men I have before declared them to be, they were the veriest imposters that ever practiced on mankind. This is the inevitable conclusion, and from it there is no escape. But I differ from those who charge this baseness on the framers of the Constitution of the United States. It is a slander upon their memory, at least, so I believe. There is not time now to argue the constitutional question at length – nor have I the ability to discuss it as it ought to be discussed. The subject has been handled with masterly power by Lysander Spooner, Esq., by William Goodell, by Samuel E. Sewall, Esq., and last, though not least, by Gerritt Smith, Esq. These gentlemen have, as I think, fully and clearly vindicated the Constitution from any design to support slavery for an hour.

Fellow-citizens! there is no matter in respect to which, the people of the North have allowed themselves to be so ruinously imposed upon, as that of the pro-slavery character of the Constitution. In that instrument I hold there is neither warrant, license, nor sanction of the hateful thing; but, interpreted as it ought to be interpreted, the Constitution is a **GLORIOUS LIBERTY DOCUMENT**. Read its preamble, consider its purposes. Is slavery among them? Is it at the gateway? or is it in the temple? It is neither. While I do not intend to argue this question on the present occasion, let me

ask, if it be not somewhat singular that, if the Constitution were intended to be, by its framers and adopters, a slaveholding instrument, why neither slavery, slaveholding, nor slave can anywhere be found in it. What would be thought of an instrument, drawn up, legally drawn up, for the purpose of entitling the city of Rochester to a tract of land, in which no mention of land was made? Now, there are certain rules of interpretation, for the proper understanding of all legal instruments. These rules are well established. They are plain, common-sense rules, such as you and I, and all of us, can understand and apply, without having passed years in the study of law. I scout the idea that the question of the constitutionality or unconstitutionality of slavery is not a question for the people. I hold that every American citizen has a right to form an opinion of the constitution, and to propagate that opinion, and to use all honorable means to make his opinion the prevailing one. Without this right, the liberty of an American citizen would be as insecure as that of a Frenchman. Ex-Vice-President Dallas tells us that the Constitution is an object to which no American mind can be too attentive, and no American heart too devoted. He further says, the Constitution, in its words, is plain and intelligible, and is meant for the home-bred, unsophisticated understandings of our fellow-citizens. Senator Berrien tell us that the Constitution is the fundamental law, that which controls all others. The charter of our liberties, which every citizen has a personal interest in understanding thoroughly. The testimony of Senator Breese, Lewis Cass, and many

others that might be named, who are everywhere esteemed as sound lawyers, so regard the constitution. I take it, therefore, that it is not presumption in a private citizen to form an opinion of that instrument.

Now, take the Constitution according to its plain reading, and I defy the presentation of a single pro-slavery clause in it. On the other hand it will be found to contain principles and purposes, entirely hostile to the existence of slavery.

I have detained my audience entirely too long already. At some future period I will gladly avail myself of an opportunity to give this subject a full and fair discussion.

Allow me to say, in conclusion, notwithstanding the dark picture I have this day presented of the state of the nation, I do not despair of this country. There are forces in operation, which must inevitably work the downfall of slavery. "The arm of the Lord is not shortened," and the doom of slavery is certain. I, therefore, leave off where I began, with hope. While drawing encouragement from the Declaration of Independence, the great principles it contains, and the genius of American Institutions, my spirit is also cheered by the obvious tendencies of the age. Nations do not now stand in the same relation to each other that they did ages ago. No nation can now shut itself up from the surrounding world, and trot round in the same old path of its fathers without interference. The time was when such could be done. Long established customs of hurtful character could formerly fence themselves in, and do their evil work with social impunity.

Knowledge was then confined and enjoyed by the privileged few, and the multitude walked on in mental darkness. But a change has now come over the affairs of mankind. Walled cities and empires have become unfashionable. The arm of commerce has borne away the gates of the strong city. Intelligence is penetrating the darkest corners of the globe. It makes its pathway over and under the sea, as well as on the earth. Wind, steam, and lightning are its chartered agents. Oceans no longer divide, but link nations together. From Boston to London is now a holiday excursion. Space is comparatively annihilated. Thoughts expressed on one side of the Atlantic are, distinctly heard on the other. The far off and almost fabulous Pacific rolls in grandeur at our feet. The Celestial Empire, the mystery of ages, is being solved. The fiat of the Almighty, "Let there be Light," has not yet spent its force. No abuse, no outrage whether in taste, sport or avarice, can now hide itself from the all-pervading light. The iron shoe, and crippled foot of China must be seen, in contrast with nature. Africa must rise and put on her yet unwoven garment. "Ethiopia shall stretch out her hand unto God." In the fervent aspirations of William Lloyd Garrison, I say, and let every heart join in saying it:

God speed the year of jubilee
The wide world o'er
When from their galling chains set free,
Th' oppress'd shall vilely bend the knee,

And wear the yoke of tyranny
Like brutes no more.

That year will come, and freedom's reign,
To man his plundered rights again
Restore.

God speed the day when human blood
Shall cease to flow!
In every clime be understood,
The claims of human brotherhood,
And each return for evil, good,
Not blow for blow;
That day will come all feuds to end.
And change into a faithful friend
Each foe.

God speed the hour, the glorious hour,
When none on earth
Shall exercise a lordly power,
Nor in a tyrant's presence cower;
But all to manhood's stature tower,
By equal birth!
That hour will come, to each, to all,
And from his prison-house, the thrall
Go forth.

Until that year, day, hour, arrive,
With head, and heart, and hand I'll strive,
To break the rod, and rend the gyve,
The spoiler of his prey deprive —
So witness Heaven!
And never from my chosen post,
Whate'er the peril or the cost,
Be driven.

Fugitive Slave Act of 1793



An Act respecting fugitives from justice, and persons escaping from the service of their masters.

Be it enacted, &c., That, whenever the Executive authority of any State in the Union, or of either of the Territories Northwest or South of the river Ohio, shall demand any person as a fugitive from justice, of the Executive authority of any such State or Territory to which such person shall

have fled, and shall moreover produce the copy of an indictment found, or an affidavit made before a magistrate of any State or Territory as aforesaid, charging the person so demanded with having committed treason, felony, or other crime, certified as authentic by the Governor or Chief Magistrate of the State or Territory from whence the person so charged fled, it shall be the duty of the executive authority of the State or Territory to which such person shall have fled, to cause him or her arrest to be given to the Executive authority making such demand, or to the agent when he shall appear; but, if no such agent shall appear within six months from the time of the arrest, the prisoner may be discharged: and all costs or expenses incurred in the apprehending, securing, and transmitting such fugitive to the State or Territory making such demand, shall be paid by such State or Territory.

SEC. 2. And be it further enacted, That any agent appointed as aforesaid, who shall receive the fugitive into his custody, shall be empowered to transport him or her to the State or Territory from which he or she shall have fled. And if any person or persons shall, by force, set at liberty, or rescue the fugitive from such agent while transporting, as aforesaid, the person or persons so offending shall, on conviction, be fined not exceeding five hundred dollars, and be imprisoned not exceeding one year.

SEC. 3. And be it also enacted, That when a person held to labor in any of the United States, or in either of the Territories on the Northwest or South of the river Ohio, under the laws thereof, shall escape into any other part of the said States or Territory, the person to whom such labor or service may be due, his agent or attorney, is hereby empowered to seize or arrest such fugitive from labor, and to take him or her before any Judge of the Circuit or District Courts of the United States, residing or being within the State, or before any magistrate of a county, city, or town corporate, wherein such seizure or arrest shall be made, and upon proof to the satisfaction of such Judge or magistrate, either by oral testimony or affidavit taken before and certified by a magistrate of any such State or Territory, that the person so seized or arrested, doth, under the laws of the State or Territory from which he or she fled, owe service or labor to the person claiming him or her, it shall be the duty of such Judge or magistrate to give a certificate thereof to such claimant, his agent, or attorney, which shall be sufficient warrant for removing the said fugitive from labor to the State or Territory from which he or she fled.

SEC. 4. And be it further enacted, That any person who shall knowingly and willingly obstruct or hinder such claimant, his agent, or attorney, in so seizing or arresting such fugitive from labor, or shall rescue such fugitive from such claimant, his agent or attorney, when so arrested pursuant to the authority herein given and declared; or shall harbor or

conceal such person after notice that he or she was a fugitive from labor, as aforesaid, shall, for either of the said offences, forfeit and pay the sum of five hundred dollars. Which penalty may be recovered by and for the benefit of such claimant, by action of debt, in any Court proper to try the same, saving moreover to the person claiming such labor or service his right of action for or on account of the said injuries, or either of them.

Approved [signed into law by President George Washington], February 12, 1793.



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Slavery in Massachusetts

by HENRY DAVID THOREAU (1854)

I LATELY ATTENDED a meeting of the citizens of Concord, expecting, as one among many, to speak on the subject of slavery in Massachusetts; but I was surprised and disappointed to find that what had called my townsmen together was the destiny of Nebraska, and not of Massachusetts, and that what I had to say would be entirely out of order. I had thought that the house was on fire, and not the prairie; but though several of the citizens of Massachusetts are now in prison for attempting to rescue a slave from her own clutches, not one of the speakers at that meeting expressed regret for it, not one even referred to it. It was only the disposition of some wild lands a thousand miles off which appeared to concern them. The inhabitants of Concord are not prepared to stand by one of their own bridges, but talk only of taking up a position on the highlands beyond the Yellowstone River. Our Buttricks and Davises and Hosmers are retreating thither, and I fear that they will leave no Lexington Common between them and the enemy. There is not one slave in Nebraska; there are perhaps a million slaves in Massachusetts.



They who have been bred in the school of politics fail now and always to face the facts. Their measures are half measures and makeshifts merely. They put off the day of settlement indefinitely, and meanwhile the debt accumulates. Though the Fugitive Slave Law had not been the subject of discussion on that occasion, it was at length faintly resolved by my townsmen, at an adjourned meeting, as I learn, that the compromise compact of 1820 having been repudiated by one of the parties, "Therefore,... the Fugitive Slave Law of 1850 must be repealed." But this is not the reason why an iniquitous law should be repealed. The fact which the politician faces is merely that there is less honor among thieves than was supposed, and not the fact that they are thieves. As I had no opportunity to express my thoughts at that meeting, will you allow me to do so here?

Again it happens that the Boston Court-House is full of armed men, holding prisoner and trying a MAN, to find out if he is not really a SLAVE. Does any one think that justice or God awaits Mr. Loring's decision? For him to sit there deciding still, when this question is already decided from eternity to eternity, and the unlettered slave himself and the multitude around have long since heard and assented to the decision, is simply to make himself ridiculous. We may be tempted to ask from whom he received his commission, and

who he is that received it; what novel statutes he obeys, and what precedents are to him of authority. Such an arbiter's very existence is an impertinence. We do not ask him to make up his mind, but to make up his pack.

I listen to hear the voice of a Governor, Commander-in-Chief of the forces of Massachusetts. I hear only the creaking of crickets and the hum of insects which now fill the summer air. The Governor's exploit is to review the troops on muster days. I have seen him on horseback, with his hat off, listening to a chaplain's prayer. It chances that that is all I have ever seen of a Governor. I think that I could manage to get along without one. If he is not of the least use to prevent my being kidnapped, pray of what important use is he likely to be to me? When freedom is most endangered, he dwells in the deepest obscurity. A distinguished clergyman told me that he chose the profession of a clergyman because it afforded the most leisure for literary pursuits. I would recommend to him the profession of a Governor.

Three years ago, also, when the Sims tragedy was acted, I said to myself, There is such an officer, if not such a man, as the Governor of Massachusetts- what has he been about the last fortnight? Has he had as much as he could do to keep on the fence during this moral earthquake? It seemed to me that no keener satire could have been aimed at, no more cutting insult have been offered to that man, than just what happened- the absence of all inquiry after him in that crisis. The worst and the most I chance to know of him is that he

did not improve that opportunity to make himself known, and worthily known. He could at least have resigned himself into fame. It appeared to be forgotten that there was such a man or such an office. Yet no doubt he was endeavoring to fill the gubernatorial chair all the while. He was no Governor of mine. He did not govern me.

But at last, in the present case, the Governor was heard from. After he and the United States government had perfectly succeeded in robbing a poor innocent black man of his liberty for life, and, as far as they could, of his Creator's likeness in his breast, he made a speech to his accomplices, at a congratulatory supper!

I have read a recent law of this State, making it penal for any officer of the "Commonwealth" to "detain or aid in the... detention," anywhere within its limits, "of any person, for the reason that he is claimed as a fugitive slave." Also, it was a matter of notoriety that a writ of replevin to take the fugitive out of the custody of the United States Marshal could not be served for want of sufficient force to aid the officer.

I had thought that the Governor was, in some sense, the executive officer of the State; that it was his business, as a Governor, to see that the laws of the State were executed; while, as a man, he took care that he did not, by so doing, break the laws of humanity; but when there is any special important use for him, he is useless, or worse than useless, and permits the laws of the State to go unexecuted. Perhaps I do not know what are the duties of a Governor; but if to be a

Governor requires to subject one's self to so much ignominy without remedy, if it is to put a restraint upon my manhood, I shall take care never to be Governor of Massachusetts. I have not read far in the statutes of this Commonwealth. It is not profitable reading. They do not always say what is true; and they do not always mean what they say. What I am concerned to know is, that that man's influence and authority were on the side of the slaveholder, and not of the slave- of the guilty, and not of the innocent- of injustice, and not of justice. I never saw him of whom I speak; indeed, I did not know that he was Governor until this event occurred. I heard of him and Anthony Burns at the same time, and thus, undoubtedly, most will hear of him. So far am I from being governed by him. I do not mean that it was anything to his discredit that I had not heard of him, only that I heard what I did. The worst I shall say of him is, that he proved no better than the majority of his constituents would be likely to prove. In my opinion, he was not equal to the occasion.

The whole military force of the State is at the service of a Mr. Suttle, a slaveholder from Virginia, to enable him to catch a man whom he calls his property; but not a soldier is offered to save a citizen of Massachusetts from being kidnapped! Is this what all these soldiers, all this training, have been for these seventy-nine years past? Have they been trained merely to rob Mexico and carry back fugitive slaves to their masters?

These very nights I heard the sound of a drum in our streets. There were men training still; and for what? I could with an effort pardon the cockerels of Concord for crowing still, for they, perchance, had not been beaten that morning; but I could not excuse this rub-a-dub of the "trainers." The slave was carried back by exactly such as these; i.e., by the soldier, of whom the best you can say in this connection is that he is a fool made conspicuous by a painted coat.

Three years ago, also, just a week after the authorities of Boston assembled to carry back a perfectly innocent man, and one whom they knew to be innocent, into slavery, the inhabitants of Concord caused the bells to be rung and the cannons to be fired, to celebrate their liberty- and the courage and love of liberty of their ancestors who fought at the bridge. As if those three millions had fought for the right to be free themselves, but to hold in slavery three million others. Nowadays, men wear a fool's-cap, and call it a liberty-cap. I do not know but there are some who, if they were tied to a whipping-post, and could but get one hand free, would use it to ring the bells and fire the cannons to celebrate their liberty. So some of my townsmen took the liberty to ring and fire. That was the extent of their freedom; and when the sound of the bells died away, their liberty died away also; when the powder was all expended, their liberty went off with the smoke.

The joke could be no broader if the inmates of the prisons were to subscribe for all the powder to be used in such

salutes, and hire the jailers to do the firing and ringing for them, while they enjoyed it through the grating.

This is what I thought about my neighbors.

Every humane and intelligent inhabitant of Concord, when he or she heard those bells and those cannons, thought not with pride of the events of the 19th of April, 1775, but with shame of the events of the 12th of April, 1851. But now we have half buried that old shame under a new one.

Massachusetts sat waiting Mr. Loring's decision, as if it could in any way affect her own criminality. Her crime, the most conspicuous and fatal crime of all, was permitting him to be the umpire in such a case. It was really the trial of Massachusetts. Every moment that she hesitated to set this man free, every moment that she now hesitates to atone for her crime, she is convicted. The Commissioner on her case is God; not Edward G. God, but simply God.

I wish my countrymen to consider, that whatever the human law may be, neither an individual nor a nation can ever commit the least act of injustice against the obscurest individual without having to pay the penalty for it. A government which deliberately enacts injustice, and persists in it, will at length even become the laughing-stock of the world.

Much has been said about American slavery, but I think that we do not even yet realize what slavery is. If I were seriously to propose to Congress to make mankind into sausages, I

have no doubt that most of the members would smile at my proposition, and if any believed me to be in earnest, they would think that I proposed something much worse than Congress had ever done. But if any of them will tell me that to make a man into a sausage would be much worse- would be any worse- than to make him into a slave- than it was to enact the Fugitive Slave Law- I will accuse him of foolishness, of intellectual incapacity, of making a distinction without a difference. The one is just as sensible a proposition as the other.

I hear a good deal said about trampling this law under foot. Why, one need not go out of his way to do that. This law rises not to the level of the head or the reason; its natural habitat is in the dirt. It was born and bred, and has its life, only in the dust and mire, on a level with the feet; and he who walks with freedom, and does not with Hindoo mercy avoid treading on every venomous reptile, will inevitably tread on it, and so trample it under foot- and Webster, its maker, with it, like the dirt- bug and its ball.

Recent events will be valuable as a criticism on the administration of justice in our midst, or, rather, as showing what are the true resources of justice in any community. It has come to this, that the friends of liberty, the friends of the slave, have shuddered when they have understood that his fate was left to the legal tribunals of the country to be decided. Free men have no faith that justice will be awarded in such a case. The judge may decide this way or that; it is a

kind of accident, at best. It is evident that he is not a competent authority in so important a case. It is no time, then, to be judging according to his precedents, but to establish a precedent for the future. I would much rather trust to the sentiment of the people. In their vote you would get something of some value, at least, however small; but in the other case, only the trammelled judgment of an individual, of no significance, be it which way it might.

It is to some extent fatal to the courts, when the people are compelled to go behind them. I do not wish to believe that the courts were made for fair weather, and for very civil cases merely; but think of leaving it to any court in the land to decide whether more than three millions of people, in this case a sixth part of a nation, have a right to be freemen or not! But it has been left to the courts of justice, so called- to the Supreme Court of the land- and, as you all know, recognizing no authority but the Constitution, it has decided that the three millions are and shall continue to be slaves. Such judges as these are merely the inspectors of a pick-lock and murderer's tools, to tell him whether they are in working order or not, and there they think that their responsibility ends. There was a prior case on the docket, which they, as judges appointed by God, had no right to skip; which having been justly settled, they would have been saved from this humiliation. It was the case of the murderer himself.

The law will never make men free; it is men who have got to make the law free. They are the lovers of law and order who observe the law when the government breaks it.

Among human beings, the judge whose words seal the fate of a man furthest into eternity is not he who merely pronounces the verdict of the law, but he, whoever he may be, who, from a love of truth, and unprejudiced by any custom or enactment of men, utters a true opinion or sentence concerning him. He it is that sentences him. Whoever can discern truth has received his commission from a higher source than the chiefest justice in the world who can discern only law. He finds himself constituted judge of the judge. Strange that it should be necessary to state such simple truths!

I am more and more convinced that, with reference to any public question, it is more important to know what the country thinks of it than what the city thinks. The city does not think much. On any moral question, I would rather have the opinion of Boxboro' than of Boston and New York put together. When the former speaks, I feel as if somebody had spoken, as if humanity was yet, and a reasonable being had asserted its rights- as if some unprejudiced men among the country's hills had at length turned their attention to the subject, and by a few sensible words redeemed the reputation of the race. When, in some obscure country town, the farmers come together to a special town-meeting, to express their opinion on some subject which is vexing the land, that,

I think, is the true Congress, and the most respectable one that is ever assembled in the United States.

It is evident that there are, in this Commonwealth at least, two parties, becoming more and more distinct- the party of the city, and the party of the country. I know that the country is mean enough, but I am glad to believe that there is a slight difference in her favor. But as yet she has few, if any organs, through which to express herself. The editorials which she reads, like the news, come from the seaboard. Let us, the inhabitants of the country, cultivate self-respect. Let us not send to the city for aught more essential than our broadcloths and groceries; or, if we read the opinions of the city, let us entertain opinions of our own.

Among measures to be adopted, I would suggest to make as earnest and vigorous an assault on the press as has already been made, and with effect, on the church. The church has much improved within a few years; but the press is, almost without exception, corrupt. I believe that in this country the press exerts a greater and a more pernicious influence than the church did in its worst period. We are not a religious people, but we are a nation of politicians. We do not care for the Bible, but we do care for the newspaper. At any meeting of politicians- like that at Concord the other evening, for instance- how impudent it would be to quote from the Bible! how pertinent to quote from a newspaper or from the Constitution! The newspaper is a Bible which we read every morning and every afternoon, standing and sitting, riding

and walking. It is a Bible which every man carries in his pocket, which lies on every table and counter, and which the mail, and thousands of missionaries, are continually dispersing. It is, in short, the only book which America has printed and which America reads. So wide is its influence. The editor is a preacher whom you voluntarily support. Your tax is commonly one cent daily, and it costs nothing for pew hire. But how many of these preachers preach the truth? I repeat the testimony of many an intelligent foreigner, as well as my own convictions, when I say, that probably no country was ever rubbled by so mean a class of tyrants as, with a few noble exceptions, are the editors of the periodical press in this country. And as they live and rule only by their servility, and appealing to the worse, and not the better, nature of man, the people who read them are in the condition of the dog that returns to his vomit.

The Liberator and the Commonwealth were the only papers in Boston, as far as I know, which made themselves heard in condemnation of the cowardice and meanness of the authorities of that city, as exhibited in '51. The other journals, almost without exception, by their manner of referring to and speaking of the Fugitive Slave Law, and the carrying back of the slave Sims, insulted the common sense of the country, at least. And, for the most part, they did this, one would say, because they thought so to secure the approbation of their patrons, not being aware that a sounder sentiment prevailed to any extent in the heart of the

Commonwealth. I am told that some of them have improved of late; but they are still eminently time-serving. Such is the character they have won.

But, thank fortune, this preacher can be even more easily reached by the weapons of the reformer than could the recreant priest. The free men of New England have only to refrain from purchasing and reading these sheets, have only to withhold their cents, to kill a score of them at once. One whom I respect told me that he purchased Mitchell's Citizen in the cars, and then throw it out the window. But would not his contempt have been more fatally expressed if he had not bought it?

Are they Americans? are they New Englanders? are they inhabitants of Lexington and Concord and Framingham, who read and support the Boston Post, Mail, Journal, Advertiser, Courier, and Times? Are these the Flags of our Union? I am not a newspaper reader, and may omit to name the worst.

Could slavery suggest a more complete servility than some of these journals exhibit? Is there any dust which their conduct does not lick, and make fouler still with its slime? I do not know whether the Boston Herald is still in existence, but I remember to have seen it about the streets when Sims was carried off. Did it not act its part well-serve its master faithfully! How could it have gone lower on its belly? How can a man stoop lower than he is low? do more than put his extremities in the place of the head he has? than make his

head his lower extremity? When I have taken up this paper with my cuffs turned up, I have heard the gurgling of the sewer through every column. I have felt that I was handling a paper picked out of the public gutters, a leaf from the gospel of the gambling-house, the grogery, and the brothel, harmonizing with the gospel of the Merchants' Exchange.

The majority of the men of the North, and of the South and East and West, are not men of principle. If they vote, they do not send men to Congress on errands of humanity; but while their brothers and sisters are being scourged and hung for loving liberty, while- I might here insert all that slavery implies and is- it is the mismanagement of wood and iron and stone and gold which concerns them. Do what you will, O Government, with my wife and children, my mother and brother, my father and sister, I will obey your commands to the letter. It will indeed grieve me if you hurt them, if you deliver them to overseers to be hunted by bounds or to be whipped to death; but, nevertheless, I will peaceably pursue my chosen calling on this fair earth, until perchance, one day, when I have put on mourning for them dead, I shall have persuaded you to relent. Such is the attitude, such are the words of Massachusetts.

Rather than do thus, I need not say what match I would touch, what system endeavor to blow up; but as I love my life, I would side with the light, and let the dark earth roll from under me, calling my mother and my brother to follow.

I would remind my countrymen that they are to be men first, and Americans only at a late and convenient hour. No matter how valuable law may be to protect your property, even to keep soul and body together, if it do not keep you and humanity together.

I am sorry to say that I doubt if there is a judge in Massachusetts who is prepared to resign his office, and get his living innocently, whenever it is required of him to pass sentence under a law which is merely contrary to the law of God. I am compelled to see that they put themselves, or rather are by character, in this respect, exactly on a level with the marine who discharges his musket in any direction he is ordered to. They are just as much tools, and as little men. Certainly, they are not the more to be respected, because their master enslaves their understandings and consciences, instead of their bodies.

The judges and lawyers- simply as such, I mean- and all men of expediency, try this case by a very low and incompetent standard. They consider, not whether the Fugitive Slave Law is right, but whether it is what they call constitutional. Is virtue constitutional, or vice? Is equity constitutional, or iniquity? In important moral and vital questions, like this, it is just as impertinent to ask whether a law is constitutional or not, as to ask whether it is profitable or not. They persist in being the servants of the worst of men, and not the servants of humanity. The question is, not whether you or your grandfather, seventy years ago, did not enter into an

agreement to serve the Devil, and that service is not accordingly now due; but whether you will not now, for once and at last, serve God- in spite of your own past recreancy, or that of your ancestor- by obeying that eternal and only just CONSTITUTION, which He, and not any Jefferson or Adams, has written in your being.

The amount of it is, if the majority vote the Devil to be God, the minority will live and behave accordingly- and obey the successful candidate, trusting that, some time or other, by some Speaker's casting- vote, perhaps, they may reinstate God. This is the highest principle I can get out or invent for my neighbors. These men act as if they believed that they could safely slide down a hill a little way- or a good way- and would surely come to a place, by and by, where they could begin to slide up again. This is expediency, or choosing that course which offers the slightest obstacles to the feet, that is, a downhill one. But there is no such thing as accomplishing a righteous reform by the use of "expediency." There is no such thing as sliding up hill. In morals the only sliders are backsliders.

Thus we steadily worship Mammon, both school and state and church, and on the seventh day curse God with a tintamar from one end of the Union to the other.

Will mankind never learn that policy is not morality- that it never secures any moral right, but considers merely what is expedient? chooses the available candidate- who is invariably the Devil- and what right have his constituents to be

surprised, because the Devil does not behave like an angel of light? What is wanted is men, not of policy, but of probity- who recognize a higher law than the Constitution, or the decision of the majority. The fate of the country does not depend on how you vote at the polls- the worst man is as strong as the best at that game; it does not depend on what kind of paper you drop into the ballot- box once a year, but on what kind of man you drop from your chamber into the street every morning.

What should concern Massachusetts is not the Nebraska Bill, nor the Fugitive Slave Bill, but her own slaveholding and servility. Let the State dissolve her union with the slaveholder. She may wriggle and hesitate, and ask leave to read the Constitution once more; but she can find no respectable law or precedent which sanctions the continuance of such a union for an instant.

Let each inhabitant of the State dissolve his union with her, as long as she delays to do her duty.

The events of the past month teach me to distrust Fame. I see that she does not finely discriminate, but coarsely hurrahs. She considers not the simple heroism of an action, but only as it is connected with its apparent consequences. She praises till she is hoarse the easy exploit of the Boston tea party, but will be comparatively silent about the braver and more disinterestedly heroic attack on the Boston Court-House, simply because it was unsuccessful!

Covered with disgrace, the State has sat down coolly to try for their lives and liberties the men who attempted to do its duty for it. And this is called justice! They who have shown that they can behave particularly well may perchance be put under bonds for their good behavior. They whom truth requires at present to plead guilty are, of all the inhabitants of the State, preeminently innocent. While the Governor, and the Mayor, and countless officers of the Commonwealth are at large, the champions of liberty are imprisoned.

Only they are guiltless who commit the crime of contempt of such a court. It behooves every man to see that his influence is on the side of justice, and let the courts make their own characters. My sympathies in this case are wholly with the accused, and wholly against their accusers and judges. Justice is sweet and musical; but injustice is harsh and discordant. The judge still sits grinding at his organ, but it yields no music, and we hear only the sound of the handle. He believes that all the music resides in the handle, and the crowd toss him their coppers the same as before.

Do you suppose that that Massachusetts which is now doing these things- which hesitates to crown these men, some of whose lawyers, and even judges, perchance, may be driven to take refuge in some poor quibble, that they may not wholly outrage their instinctive sense of justice- do you suppose that she is anything but base and servile? that she is the champion of liberty?

Show me a free state, and a court truly of justice, and I will fight for them, if need be; but show me Massachusetts, and I refuse her my allegiance, and express contempt for her courts.

The effect of a good government is to make life more valuable- of a bad one, to make it less valuable. We can afford that railroad and all merely material stock should lose some of its value, for that only compels us to live more simply and economically; but suppose that the value of life itself should be diminished! How can we make a less demand on man and nature, how live more economically in respect to virtue and all noble qualities, than we do? I have lived for the last month- and I think that every man in Massachusetts capable of the sentiment of patriotism must have had a similar experience- with the sense of having suffered a vast and indefinite loss. I did not know at first what ailed me. At last it occurred to me that what I had lost was a country. I had never respected the government near to which I lived, but I had foolishly thought that I might manage to live here, minding my private affairs, and forget it. For my part, my old and worthiest pursuits have lost I cannot say how much of their attraction, and I feel that my investment in life here is worth many per cent less since Massachusetts last deliberately sent back an innocent man, Anthony Burns, to slavery. I dwelt before, perhaps, in the illusion that my life passed somewhere only between heaven and hell, but now I cannot persuade myself that I do not dwell wholly within

hell. The site of that political organization called Massachusetts is to me morally covered with volcanic scoriae and cinders, such as Milton describes in the infernal regions. If there is any hell more unprincipled than our rulers, and we, the ruled, I feel curious to see it. Life itself being worthless, all things with it, which minister to it, are worth less. Suppose you have a small library, with pictures to adorn the walls- a garden laid out around- and contemplate scientific and literary pursuits and discover all at once that your villa, with all its contents is located in hell, and that the justice of the peace has a cloven foot and a forked tail- do not these things suddenly lose their value in your eyes?

I feel that, to some extent, the State has fatally interfered with my lawful business. It has not only interrupted me in my passage through Court Street on errands of trade, but it has interrupted me and every man on his onward and upward path, on which he had trusted soon to leave Court Street far behind. What right had it to remind me of Court Street? I have found that hollow which even I had relied on for solid.

I am surprised to see men going about their business as if nothing had happened. I say to myself, "Unfortunates! they have not heard the news." I am surprised that the man whom I just met on horseback should be so earnest to overtake his newly bought cows running away- since all property is insecure, and if they do not run away again, they may be taken away from him when he gets them. Fool! does he not

know that his seed-corn is worth less this year- that all beneficent harvests fail as you approach the empire of hell? No prudent man will build a stone house under these circumstances, or engage in any peaceful enterprise which it requires a long time to accomplish. Art is as long as ever, but life is more interrupted and less available for a man's proper pursuits. It is not an era of repose. We have used up all our inherited freedom. If we would save our lives, we must fight for them.

I walk toward one of our ponds; but what signifies the beauty of nature when men are base? We walk to lakes to see our serenity reflected in them; when we are not serene, we go not to them. Who can be serene in a country where both the rulers and the ruled are without principle? The remembrance of my country spoils my walk. My thoughts are murder to the State, and involuntarily go plotting against her.

But it chanced the other day that I scented a white water-lily, and a season I had waited for had arrived. It is the emblem of purity. It bursts up so pure and fair to the eye, and so sweet to the scent, as if to show us what purity and sweetness reside in, and can be extracted from, the slime and muck of earth. I think I have plucked the first one that has opened for a mile. What confirmation of our hopes is in the fragrance of this flower! I shall not so soon despair of the world for it, notwithstanding slavery, and the cowardice and want of principle of Northern men. It suggests what kind of laws have prevailed longest and widest, and still prevail, and that

the time may come when man's deeds will smell as sweet. Such is the odor which the plant emits. If Nature can compound this fragrance still annually, I shall believe her still young and full of vigor, her integrity and genius unimpaired, and that there is virtue even in man, too, who is fitted to perceive and love it. It reminds me that Nature has been partner to no Missouri Compromise. I scent no compromise in the fragrance of the water-lily. It is not a *Nymphaea Douglasii*. In it, the sweet, and pure, and innocent are wholly sundered from the obscene and baleful. I do not scent in this the time- serving irresolution of a Massachusetts Governor, nor of a Boston Mayor. So behave that the odor of your actions may enhance the general sweetness of the atmosphere, that when we behold or scent a flower, we may not be reminded how inconsistent your deeds are with it; for all odor is but one form of advertisement of a moral quality, and if fair actions had not been performed, the lily would not smell sweet. The foul slime stands for the sloth and vice of man, the decay of humanity; the fragrant flower that springs from it, for the purity and courage which are immortal.

Slavery and servility have produced no sweet-scented flower annually, to charm the senses of men, for they have no real life: they are merely a decaying and a death, offensive to all healthy nostrils. We do not complain that they live, but that they do not get buried. Let the living bury them: even they are good for manure.

THE END

Summary of the Dred Scott Decision

In a 7-2 opinion, a majority of the Supreme Court ruled in favor of Sanford.* Chief Justice Taney wrote the opinion for the Court. The Court first decided that African Americans were not citizens as defined by the Constitution. They then considered the merits of the case, ruling that slaves did not become free simply by entering a free state or a territory that had not yet become a state. This overturned the ruling of the lower federal court, but affirmed the ruling of the Missouri Supreme Court.

The Supreme Court first concluded that African Americans were not citizens as defined by the Constitution, and therefore, the Supreme Court and lower federal courts had no jurisdiction to hear this case. The decision cited Article



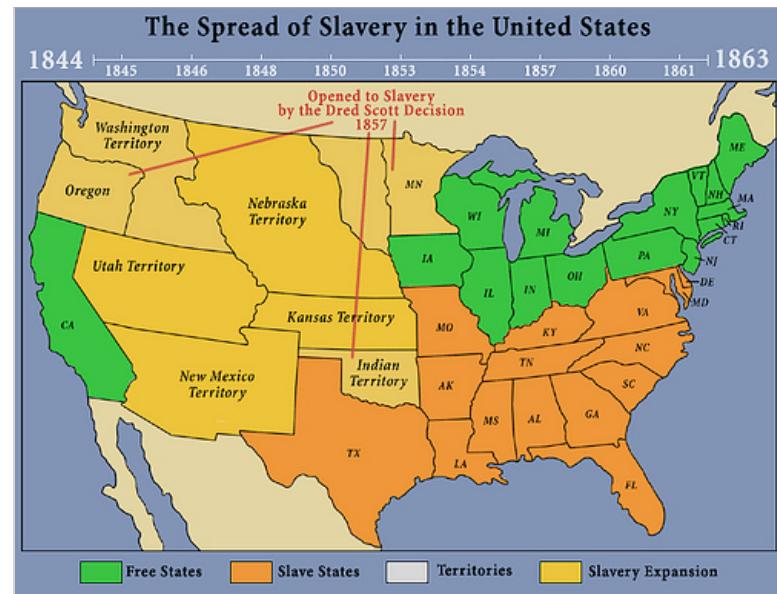
III, Section 2 of the Constitution which gives federal courts the power to hear cases "between Citizens of different States." To determine the definition of "citizens," the justices considered the intent of the framers of the Constitution. They noted that at the time the Constitution was written, people of African descent, both slave and free, were "regarded as beings of an inferior order" and were "so far inferior that they had no rights which the white man was bound to respect." Believing that the Court should not "give to the words of the Constitution a more liberal construction ... than they were intended to bear when the instrument was framed and adopted," the Court concluded that people of African descent were not citizens, and could therefore "claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States." This included the ability to bring suit in federal court.

Even though the Court determined that it did not have jurisdiction to hear this case because it did not involve "Citizens of different States," the justices ruled on the merits of case anyway. They first argued that the power of Congress to regulate the internal workings of the territories that had not yet become states was limited. They concluded that an act of Congress prohibiting citizens from "owning [slaves] in the territor[ies] ... is not warranted by the Constitution, and is therefore void." The Court thereby struck down the Missouri Compromise as unconstitutional because Congress did not have the power under the

Constitution to determine whether slavery was allowed in the territories, even those these were not states.

In addition, the Court concluded that slaves could not be made free simply by entering a free state or territory. This would deprive slave owners of their property without giving them due process of law as required by the Fifth Amendment. Accordingly, “an act of Congress which deprives a citizen of the United States of his ...property, merely because he ... brought his property into a particular Territory of the United States” was unconstitutional. The Court held, therefore, that Dred Scott and his family were “property” and were not made free simply by virtue of the fact that they were brought into a free territory.

*The defendant in this case case John Sanford, but the Court record misspelled his name, and the Court continues to call the case Dred Scott v. Sandford.

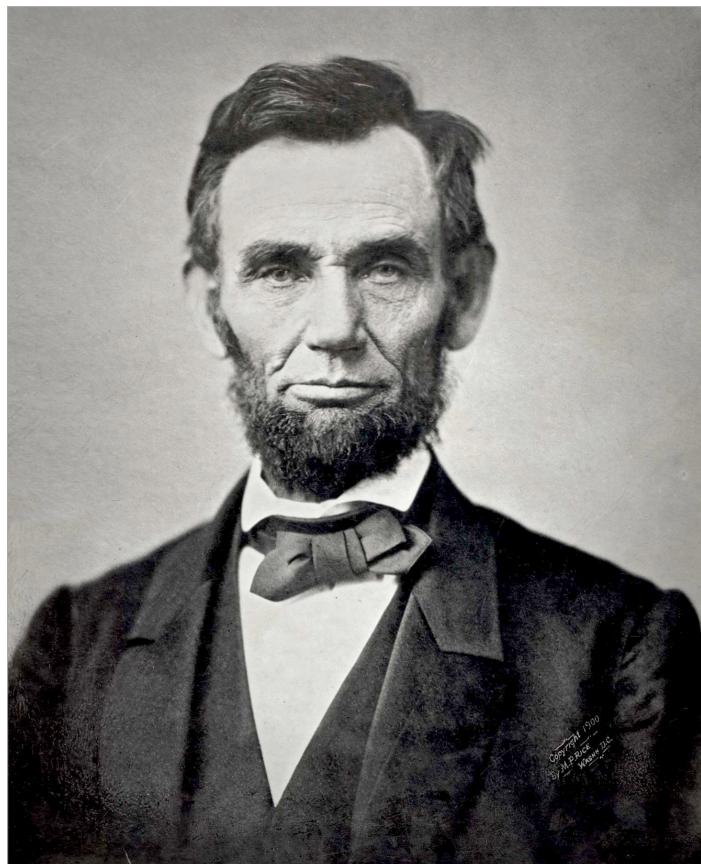


Speech on the Dred Scott Decision

By ABRAHAM LINCOLN

Speech at Springfield, Illinois. June 26, 1857

FELLOW CITIZENS: I am here tonight, partly by the invitation of some of you, and partly by my own inclination. Two weeks ago Judge Douglas spoke here on the several subjects of Kansas, the Dred Scott



decision, and Utah. I listened to the speech at the time, and have read the report of it since. It was intended to controvert opinions which I think just, and to assail (politically, not personally,) those men who, in common with me, entertain those opinions. For this reason I wished then, and still wish, to make some answer to it, which I now take the opportunity of doing.

I begin with Utah. If it prove to be true, as is probable, that the people of Utah are in open rebellion to the United States, then Judge Douglas is in favor of repealing their territorial organization, and attaching them to the adjoining States for judicial purposes. I say, too, if they are in rebellion, they ought to be somehow coerced to obedience; and I am not now prepared to admit or deny that the Judge's mode of coercing them is not as good as any. The Republicans can fall in with it without taking back anything they have ever said. To be sure, it would be a considerable backing down by Judge Douglas from his much vaunted doctrine of self-government for the territories; but this is only additional proof of what was very plain from the beginning, that that doctrine was a mere deceitful pretense for the benefit of slavery. Those who could not see that much in the Nebraska act itself, which forced Governors, and Secretaries, and Judges on the people of the territories, without their choice or consent, could not be made to see, though one should rise from the dead to testify.

But in all this, it is very plain the Judge evades the only question the Republicans have ever pressed upon the Democracy in regard to Utah. That question the Judge well knows to be this: "If the people of Utah shall peacefully form a State Constitution tolerating polygamy, will the Democracy admit them into the Union?" There is nothing in the United States Constitution or law against polygamy; and why is it not a part of the Judge's "sacred right of self-government" for that people to have it, or rather to keep it, if they choose? These questions, so far as I know, the Judge never answers. It might involve the Democracy to answer them either way, and they go unanswered.

As to Kansas. The substance of the Judge's speech on Kansas is an effort to put the free State men in the wrong for not voting at the election of delegates to the Constitutional Convention. He says: "There is every reason to hope and believe that the law will be fairly interpreted and impartially executed, so as to insure to every bona fide inhabitant the free and quiet exercise of the elective franchise."

It appears extraordinary that Judge Douglas should make such a statement. He knows that, by the law, no one can vote who has not been registered; and he knows that the free State men place their refusal to vote on the ground that but few of them have been registered. It is possible this is not true, but Judge Douglas knows it is asserted to be true in letters, newspapers and public speeches, and borne by every mail, and blown by every breeze to the eyes and ears of the

world. He knows it is boldly declared that the people of many whole counties, and many whole neighborhoods in others, are left unregistered; yet, he does not venture to contradict the declaration, nor to point out how they can vote without being registered; but he just slips along, not seeming to know there is any such question of fact, and complacently declares: "There is every reason to hope and believe that the law will be fairly and impartially executed, so as to insure to every bona fide inhabitant the free and quiet exercise of the elective franchise."

I readily agree that if all had a chance to vote, they ought to have voted. If, on the contrary, as they allege, and Judge Douglas ventures not to particularly contradict, few only of the free State men had a chance to vote, they were perfectly right in staying from the polls in a body.

By the way since the Judge spoke, the Kansas election has come off. The Judge expressed his confidence that all the Democrats in Kansas would do their duty-including "free state Democrats" of course. The returns received here as yet are very incomplete; but so far as they go, they indicate that only about one sixth of the registered voters, have really voted; and this too, when not more, perhaps, than one half of the rightful voters have been registered, thus showing the thing to have been altogether the most exquisite farce ever enacted. I am watching with considerable interest, to ascertain what figure "the free state Democrats" cut in the concern. Of course they voted-all democrats do their duty-

and of course they did not vote for slave-state candidates. We soon shall know how many delegates they elected, how many candidates they had, pledged for a free state; and how many votes were cast for them.

Allow me to barely whisper my suspicion that there were no such things in Kansas "as free state Democrats"-that they were altogether mythical, good only to figure in newspapers and speeches in the free states. If there should prove to be one real living free state Democrat in Kansas, I suggest that it might be well to catch him, and stuff and preserve his skin, as an interesting specimen of that soon to be extinct variety of the genus, Democrat.

And now as to the Dred Scott decision. That decision declares two propositions-first, that a negro cannot sue in the U.S. Courts; and secondly, that Congress cannot prohibit slavery in the Territories. It was made by a divided court-dividing differently on the different points. Judge Douglas does not discuss the merits of the decision; and, in that respect, I shall follow his example, believing I could no more improve on McLean and Curtis, than he could on Taney.

He denounces all who question the correctness of that decision, as offering violent resistance to it. But who resists it? Who has, in spite of the decision, declared Dred Scott free, and resisted the authority of his master over him?

Judicial decisions have two uses-first, to absolutely determine the case decided, and secondly, to indicate to the

public how other similar cases will be decided when they arise. For the latter use, they are called "precedents" and "authorities."

We believe, as much as Judge Douglas, (perhaps more) in obedience to, and respect for the judicial department of government. We think its decisions on Constitutional questions, when fully settled, should control, not only the particular cases decided, but the general policy of the country, subject to be disturbed only by amendments of the Constitution as provided in that instrument itself. More than this would be revolution. But we think the Dred Scott decision is erroneous. We know the court that made it, has often over-ruled its own decisions, and we shall do what we can to have it to over-rule this. We offer no resistance to it.

Judicial decisions are of greater or less authority as precedents, according to circumstances. That this should be so, accords both with common sense, and the customary understanding of the legal profession.

If this important decision had been made by the unanimous concurrence of the judges, and without any apparent partisan bias, and in accordance with legal public expectation, and with the steady practice of the departments throughout our history, and had been in no part, based on assumed historical facts which are not really true; or, if wanting in some of these, it had been before the court more than once, and had there been affirmed and re-affirmed through a course of years, it then might be, perhaps would

be, factious, nay, even revolutionary, to not acquiesce in it as a precedent.

But when, as it is true we find it wanting in all these claims to the public confidence, it is not resistance, it is not factious, it is not even disrespectful, to treat it as not having yet quite established a settled doctrine for the country-But Judge Douglas considers this view awful. Hear him:

"The courts are the tribunals prescribed by the Constitution and created by the authority of the people to determine, expound and enforce the law. Hence, whoever resists the final decision of the highest judicial tribunal, aims a deadly blow to our whole Republican system of government-a blow, which if successful would place all our rights and liberties at the mercy of passion, anarchy and violence. I repeat, therefore, that if resistance to the decisions of the Supreme Court of the United States, in a matter like the points decided in the Dred Scott case, clearly within their jurisdiction as defined by the Constitution, shall be forced upon the country as a political issue, it will become a distinct and naked issue between the friends and the enemies of the Constitution-the friends and the enemies of the supremacy of the laws."

Why this same Supreme court once decided a national bank to be constitutional; but Gen. Jackson, as President of the United States, disregarded the decision, and vetoed a bill for a re-charter, partly on constitutional ground, declaring that each public functionary must support the Constitution, "as

he understands it ." But hear the General's own words. Here they are, taken from his veto message:

"It is maintained by the advocates of the bank, that its constitutionality, in all its features, ought to be considered as settled by precedent, and by the decision of the Supreme Court. To this conclusion I cannot assent. Mere precedent is a dangerous source of authority, and should not be regarded as deciding questions of constitutional power, except where the acquiescence of the people and the States can be considered as well settled. So far from this being the case on this subject, an argument against the bank might be based on precedent. One Congress in 1791, decided in favor of a bank; another in 1811, decided against it. One Congress in 1815 decided against a bank; another in 1816 decided in its favor. Prior to the present Congress, therefore the precedents drawn from that source were equal. If we resort to the States, the expressions of legislative, judicial and executive opinions against the bank have been probably to those in its favor as four to one. There is nothing in precedent, therefore, which if its authority were admitted, ought to weigh in favor of the act before me."

I drop the quotations merely to remark that all there ever was, in the way of precedent up to the Dred Scott decision, on the points therein decided, had been against that decision. But hear Gen. Jackson further-

"If the opinion of the Supreme court covered the whole ground of this act, it ought not to control the co-ordinate

authorities of this Government. The Congress, the executive and the court, must each for itself be guided by its own opinion of the Constitution. Each public officer, who takes an oath to support the Constitution, swears that he will support it as he understands it, and not as it is understood by others."

Again and again have I heard Judge Douglas denounce that bank decision, and applaud Gen. Jackson for disregarding it. It would be interesting for him to look over his recent speech, and see how exactly his fierce philippics against us for resisting Supreme Court decisions, fall upon his own head. It will call to his mind a long and fierce political war in this country, upon an issue which, in his own language, and, of course, in his own changeless estimation, was "a distinct and naked issue between the friends and the enemies of the Constitution," and in which war he fought in the ranks of the enemies of the Constitution.

I have said, in substance, that the Dred Scott decision was, in part, based on assumed historical facts which were not really true; and I ought not to leave the subject without giving some reasons for saying this; I therefore give an instance or two, which I think fully sustain me. Chief Justice Taney, in delivering the opinion of the majority of the Court, insists at great length that negroes were no part of the people who made, or for whom was made, the Declaration of Independence, or the Constitution of the United States.

On the contrary, Judge Curtis, in his dissenting opinion, shows that in five of the then thirteen states, to wit, New

Hampshire, Massachusetts, New York, New Jersey and North Carolina, free negroes were voters, and, in proportion to their numbers, had the same part in making the Constitution that the white people had. He shows this with so much particularity as to leave no doubt of its truth; and, as a sort of conclusion on that point, holds the following language:

"The Constitution was ordained and established by the people of the United States, through the action, in each State, of those persons who were qualified by its laws to act thereon in behalf of themselves and all other citizens of the State. In some of the States, as we have seen, colored persons were among those qualified by law to act on the subject. These colored persons were not only included in the body of 'the people of the United States,- by whom the Constitution was ordained and established; but in at least five of the States they had the power to act, and, doubtless, did act, by their suffrages, upon the question of its adoption."

Again, Chief Justice Taney says: "It is difficult, at this day to realize the state of public opinion in relation to that unfortunate race, which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence, and when the Constitution of the United States was framed and adopted." And again, after quoting from the Declaration, he says: "The general words above quoted would seem to include the whole human

family, and if they were used in a similar instrument at this day, would be so understood."

In these the Chief Justice does not directly assert, but plainly assumes, as a fact, that the public estimate of the black man is more favorable now than it was in the days of the Revolution. This assumption is a mistake. In some trifling particulars, the condition of that race has been ameliorated; but, as a whole, in this country, the change between then and now is decidedly the other way; and their ultimate destiny has never appeared so hopeless as in the last three or four years. In two of the five States-New Jersey and North Carolina-that then gave the free negro the right of voting, the right has since been taken away; and in a third-New York-it has been greatly abridged; while it has not been extended, so far as I know, to a single additional State, though the number of the States has more than doubled. In those days, as I understand, masters could, at their own pleasure, emancipate their slaves; but since then, such legal restraints have been made upon emancipation, as to amount almost to prohibition. In those days, Legislatures held the unquestioned power to abolish slavery in their respective States; but now it is becoming quite fashionable for State Constitutions to withhold that power from the Legislatures. In those days, by common consent, the spread of the black man's bondage to new countries was prohibited; but now, Congress decides that it will not continue the prohibition, and the Supreme Court decides that it could not if it would. In those days, our

Declaration of Independence was held sacred by all, and thought to include all; but now, to aid in making the bondage of the negro universal and eternal, it is assailed, and sneered at, and construed, and hawked at, and torn, till, if its framers could rise from their graves, they could not at all recognize it. All the powers of earth seem rapidly combining against him. Mammon is after him; ambition follows, and philosophy follows, and the Theology of the day is fast joining the cry. They have him in his prison house; they have searched his person, and left no prying instrument with him. One after another they have closed the heavy iron doors upon him, and now they have him, as it were, bolted in with a lock of a hundred keys, which can never be unlocked without the concurrence of every key; the keys in the hands of a hundred different men, and they scattered to a hundred different and distant places; and they stand musing as to what invention, in all the dominions of mind and matter, can be produced to make the impossibility of his escape more complete than it is.

It is grossly incorrect to say or assume, that the public estimate of the negro is more favorable now than it was at the origin of the government.

Three years and a half ago, Judge Douglas brought forward his famous Nebraska bill. The country was at once in a blaze. He scorned all opposition, and carried it through Congress. Since then he has seen himself superseded in a Presidential nomination, by one indorsing the general doctrine of his measure, but at the same time standing clear of the odium of

its untimely agitation, and its gross breach of national faith; and he has seen that successful rival Constitutionally elected, not by the strength of friends, but by the division of adversaries, being in a popular minority of nearly four hundred thousand votes. He has seen his chief aids in his own State, Shields and Richardson, politically speaking, successively tried, convicted, and executed, for an offense not their own, but his. And now he sees his own case, standing next on the docket for trial.

There is a natural disgust in the minds of nearly all white people, to the idea of an indiscriminate amalgamation of the white and black races; and Judge Douglas evidently is basing his chief hope, upon the chances of being able to appropriate the benefit of this disgust to himself. If he can, by much drumming and repeating, fasten the odium of that idea upon his adversaries, he thinks he can struggle through the storm. He therefore clings to this hope, as a drowning man to the last plank. He makes an occasion for lugging it in from the opposition to the Dred Scott decision. He finds the Republicans insisting that the Declaration of Independence includes ALL men, black as well as white; and forth-with he boldly denies that it includes negroes at all, and proceeds to argue gravely that all who contend it does, do so only because they want to vote, and eat, and sleep, and marry with negroes! He will have it that they cannot be consistent else. Now I protest against that counterfeit logic which concludes that, because I do not want a black woman for a

slave I must necessarily want her for a wife. I need not have her for either, I can just leave her alone. In some respects she certainly is not my equal; but in her natural right to eat the bread she earns with her own hands without asking leave of any one else, she is my equal, and the equal of all others.

Chief Justice Taney, in his opinion in the Dred Scott case, admits that the language of the Declaration is broad enough to include the whole human family, but he and Judge Douglas argue that the authors of that instrument did not intend to include negroes, by the fact that they did not at once, actually place them on an equality with the whites. Now this grave argument comes to just nothing at all, by the other fact, that they did not at once, or ever afterwards, actually place all white people on an equality with one or another. And this is the staple argument of both the Chief Justice and the Senator, for doing this obvious violence to the plain unmistakable language of the Declaration. I think the authors of that notable instrument intended to include all men, but they did not intend to declare all men equal in all respects. They did not mean to say all were equal in color, size, intellect, moral developments, or social capacity. They defined with tolerable distinctness, in what respects they did consider all men created equal-equal in "certain inalienable rights, among which are life, liberty, and the pursuit of happiness." This they said, and this meant. They did not mean to assert the obvious untruth, that all were then actually enjoying that equality, nor yet, that they were about



to confer it immediately upon them. In fact they had no power to confer such a boon. They meant simply to declare the right, so that the enforcement of it might follow as fast as circumstances should permit. They meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere. The assertion that "all men are created equal" was of no practical use in effecting our separation from Great Britain; and it was placed in the Declaration, nor for that, but for future use. Its authors meant it to be, thank God, it is now proving itself, a stumbling block to those who in after times might seek to turn a free people back into the hateful paths of despotism.

They knew the proneness of prosperity to breed tyrants, and they meant when such should re-appear in this fair land and commence their vocation they should find left for them at least one hard nut to crack.

I have now briefly expressed my view of the meaning and objects of that part of the Declaration of Independence which declares that "all men are created equal."

Now let us hear Judge Douglas' view of the same subject, as I find it in the printed report of his late speech. Here it is:

"No man can vindicate the character, motives and conduct of the signers of the Declaration of Independence except upon the hypothesis that they referred to the white race alone, and not to the African, when they declared all men to have been created equal—that they were speaking of British subjects on this continent being equal to British subjects born and residing in Great Britain—that they were entitled to the same inalienable rights, and among them were enumerated life, liberty and the pursuit of happiness. The Declaration was adopted for the purpose of justifying the colonists in the eyes of the civilized world in withdrawing their allegiance from the British crown, and dissolving their connection with the mother country."

My good friends, read that carefully over some leisure hour, and ponder well upon it—see what a mere wreck-mangled ruin—it makes of our once glorious Declaration.

"They were speaking of British subjects on this continent being equal to British subjects born and residing in Great Britain!" Why, according to this, not only negroes but white people outside of Great Britain and America are not spoken of in that instrument. The English, Irish and Scotch, along with white Americans, were included to be sure, but the French, Germans and other white people of the world are all gone to pot along with the Judge's inferior races. I had thought the Declaration promised something better than the condition of British subjects; but no, it only meant that we should be equal to them in their own oppressed and unequal condition. According to that, it gave no promise that having kicked off the King and Lords of Great Britain, we should not at once be saddled with a King and Lords of our own.

I had thought the Declaration contemplated the progressive improvement in the condition of all men everywhere; but no, it merely "was adopted for the purpose of justifying the colonists in the eyes of the civilized world in withdrawing their allegiance from the British crown, and dissolving their connection with the mother country." Why, that object having been effected some eighty years ago, the Declaration is of no practical use now—mere rubbish-old wadding left to rot on the battle-field after the victory is won.

I understand you are preparing to celebrate the "Fourth," tomorrow week. What for? The doings of that day had no reference to the present; and quite half of you are not even descendants of those who were referred to at that day. But I

suppose you will celebrate; and will even go so far as to read the Declaration. Suppose after you read it once in the old fashioned way, you read it once more with Judge Douglas' version. It will then run thus: "We hold these truths to be self-evident that all British subjects who were on this continent eighty-one years ago, were created equal to all British subjects born and then residing in Great Britain."

And now I appeal to all—to Democrats as well as others,—are you really willing that the Declaration shall be thus frittered away?—thus left no more at most, than an interesting memorial of the dead past? thus shorn of its vitality, and practical value; and left without the germ or even the suggestion of the individual rights of man in it?

But Judge Douglas is especially horrified at the thought of the mixing blood by the white and black races: agreed for once—a thousand times agreed. There are white men enough to marry all the white women, and black men enough to marry all the black women; and so let them be married. On this point we fully agree with the Judge; and when he shall show that his policy is better adapted to prevent amalgamation than ours we shall drop ours, and adopt his. Let us see. In 1850 there were in the United States, 405,751, mulattoes. Very few of these are the offspring of whites and free blacks; nearly all have sprung from black slaves and white masters. A separation of the races is the only perfect preventive of amalgamation but as an immediate separation is impossible the next best thing is to keep them apart where

they are not already together. If white and black people never get together in Kansas, they will never mix blood in Kansas. That is at least one self-evident truth. A few free colored persons may get into the free States, in any event; but their number is too insignificant to amount to much in the way of mixing blood. In 1850 there were in the free states, 56,649 mulattoes; but for the most part they were not born there-they came from the slave States, ready made up. In the same year the slave States had 348,874 mulattoes all of home production. The proportion of free mulattoes to free blacks-the only colored classes in the free states-is much greater in the slave than in the free states. It is worthy of note too, that among the free states those which make the colored man the nearest to equal the white, have, proportionably the fewest mulattoes the least of amalgamation. In New Hampshire, the State which goes farthest towards equality between the races, there are just 184 Mulattoes while there are in Virginia-how many do you think? 79,775, being 23,126 more than in all the free States together. These statistics show that slavery is the greatest source of amalgamation; and next to it, not the elevation, but the degeneration of the free blacks. Yet Judge Douglas dreads the slightest restraints on the spread of slavery, and the slightest human recognition of the negro, as tending horribly to amalgamation.

This very Dred Scott case affords a strong test as to which party most favors amalgamation, the Republicans or the dear Union-saving Democracy. Dred Scott, his wife and two

daughters were all involved in the suit. We desired the court to have held that they were citizens so far at least as to entitle them to a hearing as to whether they were free or not; and then, also, that they were in fact and in law really free. Could we have had our way, the chances of these black girls, ever mixing their blood with that of white people, would have been diminished at least to the extent that it could not have been without their consent. But Judge Douglas is delighted to have them decided to be slaves, and not human enough to have a hearing, even if they were free, and thus left subject to the forced concubinage of their masters, and liable to become the mothers of mulattoes in spite of themselves-the very state of case that produces nine tenths of all the mulattoes-all the mixing of blood in the nation.

Of course, I state this case as an illustration only, not meaning to say or intimate that the master of Dred Scott and his family, or any more than a percentage of masters generally, are inclined to exercise this particular power which they hold over their female slaves.

I have said that the separation of the races is the only perfect preventive of amalgamation. I have no right to say all the members of the Republican party are in favor of this, nor to say that as a party they are in favor of it. There is nothing in their platform directly on the subject. But I can say a very large proportion of its members are for it, and that the chief plank in their platform-opposition to the spread of slavery-is most favorable to that separation.

Such separation, if ever effected at all, must be effected by colonization; and no political party, as such, is now doing anything directly for colonization. Party operations at present only favor or retard colonization incidentally. The enterprise is a difficult one; but "when there is a will there is a way;" and what colonization needs most is a hearty will. Will springs from the two elements of moral sense and self-interest. Let us be brought to believe it is morally right, and, at the same time, favorable to, or, at least, not against, our interest, to transfer the African to his native clime, and we shall find a way to do it, however great the task may be. The children of Israel, to such numbers as to include four hundred thousand fighting men, went out of Egyptian bondage in a body.

How differently the respective courses of the Democratic and Republican parties incidentally bear on the question of forming a will-a public sentiment-for colonization, is easy to see. The Republicans inculcate, with whatever of ability they can, that the negro is a man; that his bondage is cruelly wrong, and that the field of his oppression ought not to be enlarged. The Democrats deny his manhood; deny, or dwarf to insignificance, the wrong of his bondage; so far as possible, crush all sympathy for him, and cultivate and excite hatred and disgust against him; compliment themselves as Union-savers for doing so; and call the indefinite outspreading of his bondage "a sacred right of self-government."

The plainest print cannot be read through a gold eagle; and it will be ever hard to find many men who will send a slave to Liberia, and pay his passage while they can send him to a new country, Kansas for instance, and sell him for fifteen hundred dollars, and the rise.

First Inaugural

By ABRAHAM LINCOLN

The national upheaval of secession was a grim reality at Abraham Lincoln's inauguration. Jefferson Davis had been inaugurated as the President of the Confederacy two weeks earlier. The former Illinois Congressman had arrived in Washington by a secret route to avoid danger, and his movements were guarded by General Winfield Scott's soldiers. Ignoring advice to the contrary, the President-elect rode with President Buchanan in an open carriage to the Capitol, where he took the oath of office on the East Portico. Chief Justice Roger Taney administered the executive oath for the seventh time. The Capitol itself was sheathed in scaffolding because the copper and wood "Bulfinch" dome was being replaced with a cast iron dome designed by Thomas U. Walter.

Fellow-Citizens of the United States:

In compliance with a custom as old as the Government itself, I appear before you to address you briefly and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President before he enters on the execution of this office."

I do not consider it necessary at present for me to discuss those matters of administration about which there is no special anxiety or excitement.

Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that--

I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.

Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations and had never recanted them; and more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

Resolved, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter what pretext, as among the gravest of crimes.

I now reiterate these sentiments, and in doing so I only press upon the public attention the most conclusive evidence of which the case is susceptible that the property, peace, and security of no section are to be in any wise endangered by the now incoming Administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given will be cheerfully given to all the States when lawfully demanded, for whatever cause--as cheerfully to one section as to another.

There is much controversy about the delivering up of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions:



No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

It is scarcely questioned that this provision was intended by those who made it for the reclaiming of what we call fugitive slaves; and the intention of the lawgiver is the law. All members of Congress swear their support to the whole Constitution--to this provision as much as to any other. To the proposition, then, that slaves whose cases come within the terms of this clause "shall be delivered up" their oaths are unanimous. Now, if they would make the effort in good temper, could they not with nearly equal unanimity frame and pass a law by means of which to keep good that unanimous oath?

There is some difference of opinion whether this clause should be enforced by national or by State authority, but surely that difference is not a very material one. If the slave is to be surrendered, it can be of but little consequence to him or to others by which authority it is done. And should anyone in any case be content that his oath shall go unkept on a merely unsubstantial controversy as to how it shall be kept?

Again: In any law upon this subject ought not all the safeguards of liberty known in civilized and humane jurisprudence to be introduced, so that a free man be not in any case surrendered as a slave? And might it not be well at the same time to provide by law for the enforcement of that clause in the Constitution which guarantees that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States"?

I take the official oath to-day with no mental reservations and with no purpose to construe the Constitution or laws by any hypercritical rules; and while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest that it will be much safer for all, both in official and private stations, to conform to and abide by all those acts which stand unrepealed than to violate any of them trusting to find impunity in having them held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our National Constitution. During that period fifteen different and greatly distinguished citizens have in succession administered the executive branch of the Government. They have conducted it through many perils, and generally with great success. Yet, with all this scope of precedent, I now enter upon the same task for the brief constitutional term of four years under great and peculiar difficulty. A disruption of the Federal Union, heretofore only menaced, is now formidably attempted.

I hold that in contemplation of universal law and of the Constitution the Union of these States is perpetual.

Perpetuity is implied, if not expressed, in the fundamental law of all national governments. It is safe to assert that no government proper ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our National Constitution, and the Union will endure forever, it being impossible to destroy it except by some action not provided for in the instrument itself.

Again: If the United States be not a government proper, but an association of States in the nature of contract merely, can it, as a contract, be peaceably unmade by less than all the parties who made it? One party to a contract may violate it--break it, so to speak--but does it not require all to lawfully rescind it?

Descending from these general principles, we find the proposition that in legal



contemplation

the Union is perpetual confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And

finally, in 1787, one of the declared objects for ordaining and establishing the Constitution was "to form a more perfect Union."

But if destruction of the Union by one or by a part only of the States be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity.

It follows from these views that no State upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void, and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary, according to circumstances.

I therefore consider that in view of the Constitution and the laws the Union is unbroken, and to the extent of my ability, I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States. Doing this I deem to be only a simple duty on my part, and I shall perform it so far as practicable unless my rightful masters, the American people, shall withhold the requisite means or in some authoritative manner direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union that it will constitutionally defend and maintain itself.

In doing this there needs to be no bloodshed or violence, and there shall be none unless it be forced upon the national

authority. The power confided to me will be used to hold, occupy, and possess the property and places belonging to the Government and to collect the duties and imposts; but beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States in any interior locality shall be so great and universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the strict legal right may exist in the Government to enforce the exercise of these offices, the attempt to do so would be so irritating and so nearly impracticable withal that I deem it better to forego for the time the uses of such offices.

The mails, unless repelled, will continue to be furnished in all parts of the Union. So far as possible the people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed unless current events and experience shall show a modification or change to be proper, and in every case and exigency my best discretion will be exercised, according to circumstances actually existing and with a view and a hope of a peaceful solution of the national troubles and the restoration of fraternal sympathies and affections.

That there are persons in one section or another who seek to destroy the Union at all events and are glad of any pretext to

do it I will neither affirm nor deny; but if there be such, I need address no word to them. To those, however, who really love the Union may I not speak?

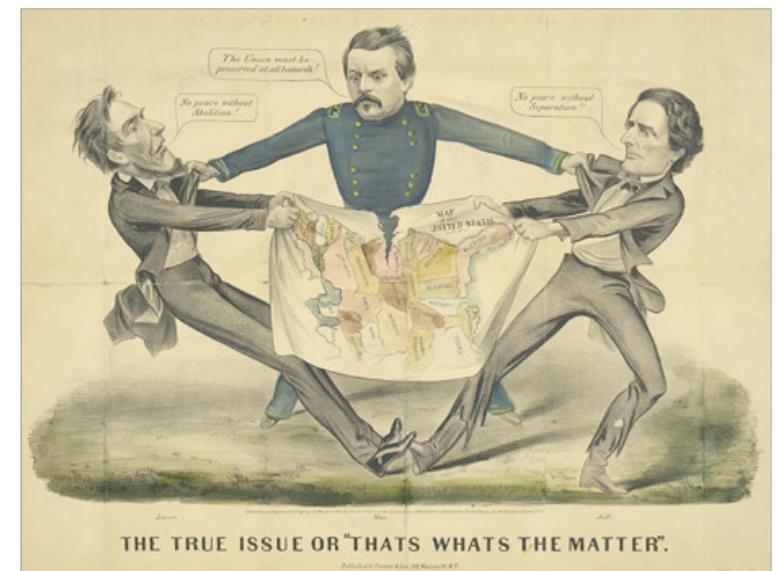
Before entering upon so grave a matter as the destruction of our national fabric, with all its benefits, its memories, and its hopes, would it not be wise to ascertain precisely why we do it? Will you hazard so desperate a step while there is any possibility that any portion of the ills you fly from have no real existence? Will you, while the certain ills you fly to are greater than all the real ones you fly from, will you risk the commission of so fearful a mistake?

All profess to be content in the Union if all constitutional rights can be maintained. Is it true, then, that any right plainly written in the Constitution has been denied? I think not. Happily, the human mind is so constituted that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied. If by the mere force of numbers a majority should deprive a minority of any clearly written constitutional right, it might in a moral point of view justify revolution; certainly would if such right were a vital one. But such is not our case. All the vital rights of minorities and of individuals are so plainly assured to them by affirmations and negations, guaranties and prohibitions, in the Constitution that controversies never arise concerning them. But no organic law can ever be framed with a provision specifically applicable to every question which may

occur in practical administration. No foresight can anticipate nor any document of reasonable length contain express provisions for all possible questions. Shall fugitives from labor be surrendered by national or by State authority? The Constitution does not expressly say. May Congress prohibit slavery in the Territories? The Constitution does not expressly say. Must Congress protect slavery in the Territories? The Constitution does not expressly say.

From questions of this class spring all our constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the Government must cease. There is no other alternative, for continuing the Government is acquiescence on one side or the other. If a minority in such case will secede rather than acquiesce, they make a precedent which in turn

will divide and ruin them, for a minority of their own will secede from them whenever



a majority refuses to be controlled by such minority. For instance, why may not any portion of a new confederacy a year or two hence arbitrarily secede again, precisely as portions of the present Union now claim to secede from it? All who cherish disunion sentiments are now being educated to the exact temper of doing this.

Is there such perfect identity of interests among the States to compose a new union as to produce harmony only and prevent renewed secession?

Plainly the central idea of secession is the essence of anarchy. A majority held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it does of necessity fly to anarchy or to despotism. Unanimity is impossible. The rule of a minority, as a permanent arrangement, is wholly inadmissible; so that, rejecting the majority principle, anarchy or despotism in some form is all that is left.

I do not forget the position assumed by some that constitutional questions are to be decided by the Supreme Court, nor do I deny that such decisions must be binding in any case upon the parties to a suit as to the object of that suit, while they are also entitled to very high respect and consideration in all parallel cases by all other departments of the Government. And while it is obviously possible that such decision may be erroneous in any given case, still the evil

effect following it, being limited to that particular case, with the chance that it may be overruled and never become a precedent for other cases, can better be borne than could the evils of a different practice. At the same time, the candid citizen must confess that if the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal. Nor is there in this view any assault upon the court or the judges. It is a duty from which they may not shrink to decide cases properly brought before them, and it is no fault of theirs if others seek to turn their decisions to political purposes.

One section of our country believes slavery is right and ought to be extended, while the other believes it is wrong and ought not to be extended. This is the only substantial dispute. The fugitive-slave clause of the Constitution and the law for the suppression of the foreign slave trade are each as well enforced, perhaps, as any law can ever be in a community where the moral sense of the people imperfectly supports the law itself. The great body of the people abide by the dry legal obligation in both cases, and a few break over in each. This, I think, can not be perfectly cured, and it would be worse in both cases after the separation of the sections than before. The foreign slave trade, now imperfectly suppressed, would

be ultimately revived without restriction in one section, while fugitive slaves, now only partially surrendered, would not be surrendered at all by the other.

Physically speaking, we can not separate. We can not remove our respective sections from each other nor build an impassable wall between them. A husband and wife may be divorced and go out of the presence and beyond the reach of each other, but the different parts of our country can not do this. They can not but remain face to face, and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory after separation than before? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you can not fight always; and when, after much loss on both sides and no gain on either, you cease fighting, the identical old questions, as to terms of intercourse, are again upon you.

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government, they can exercise their constitutional right of amending it or their revolutionary right to dismember or overthrow it. I can not be ignorant of the fact that many worthy and patriotic citizens are desirous of having the National Constitution amended. While I make no recommendation of amendments, I fully recognize the rightful authority of the people over the whole subject, to be

exercised in either of the modes prescribed in the instrument itself; and I should, under existing circumstances, favor rather than oppose a fair opportunity being afforded the people to act upon it. I will venture to add that to me the convention mode seems preferable, in that it allows amendments to originate with the people themselves, instead of only permitting them to take or reject propositions originated by others, not especially chosen for the purpose, and which might not be precisely such as they would wish to either accept or refuse. I understand a proposed amendment to the Constitution--which amendment, however, I have not seen--has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid misconstruction of what I have said, I depart from my purpose not to speak of particular amendments so far as to say that, holding such a provision to now be implied constitutional law, I have no objection to its being made express and irrevocable.

The Chief Magistrate derives all his authority from the people, and they have referred none upon him to fix terms for the separation of the States. The people themselves can do this if also they choose, but the Executive as such has nothing to do with it. His duty is to administer the present Government as it came to his hands and to transmit it unimpaired by him to his successor.

Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? In our present differences, is either party without faith of being in the right? If the Almighty Ruler of Nations, with His eternal truth and justice, be on your side of the North, or on yours of the South, that truth and that justice will surely prevail by the judgment of this great tribunal of the American people.

By the frame of the Government under which we live this same people have wisely given their public servants but little power for mischief, and have with equal wisdom provided for the return of that little to their own hands at very short intervals. While the people retain their virtue and vigilance no Administration by any extreme of wickedness or folly can very seriously injure the Government in the short space of four years.

My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it; while the new Administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in the dispute, there still is no

single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land are still competent to adjust in the best way all our present difficulty.

In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the Government, while I shall have the most solemn one to "preserve, protect, and defend it."

I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.

Address of Susan B. Anthony

By SUSAN B. ANTHONY

[After her arrest on charges of voting illegally in the 1872 federal election, Susan B. Anthony undertook an exhaustive speaking tour of all twenty-nine of the towns and villages of Monroe county, and twenty-one towns Ontario county. The title for her lecture was "Is it a Crime for a Citizen of the United States to Vote?" Her speaking tour was effective enough in winning support for her position that the prosecution sought and obtained an order transferring her trial to the United States Circuit Court at Canandaigua, where it was believed fewer potential jurors would be prejudiced in her favor.]

Is it a Crime for a Citizen of the United States to Vote?

Friends and Fellow-citizens: I stand before you to-night, under indictment for the alleged crime of having voted at the



last Presidential election, without having a lawful right to vote. It shall be my work this evening to prove to you that in thus voting, I not only committed no crime, but, instead, simply exercised my citizen's right, guaranteed to me and all United States citizens by the National Constitution, beyond the power of any State to deny.

Our democratic-republican government is based on the idea of the natural right of every individual member thereof to a voice and a vote in making and executing the laws. We assert the province of government to be to secure the people in the enjoyment of their unalienable rights. We throw to the winds the old dogma that governments can give rights. Before governments were organized, no one denies that each individual possessed the right to protect his own life, liberty and property. And when 100 or 1,000,000 people enter into a free government, they do not barter away their natural rights; they simply pledge themselves to protect each other in the enjoyment of them, through prescribed judicial and legislative tribunals. They agree to abandon the methods of brute force in the adjustment of their differences, and adopt those of civilization.

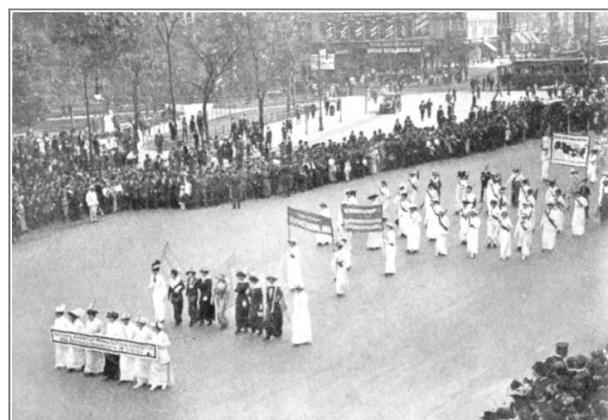
Nor can you find a word in any of the grand documents left us by the fathers that assumes for government the power to create or to confer rights. The Declaration of Independence, the United States Constitution, the constitutions of the several states and the organic laws of the territories, all alike

propose to protect the people in the exercise of their God-given rights. Not one of them pretends to bestow rights.

"All men are created equal, and endowed by their Creator with certain unalienable rights. Among these are life, liberty and the pursuit of happiness. That to secure these, governments are instituted among men, deriving their just powers from the consent of the governed."

Here is no shadow of government authority over rights, nor exclusion of any from their full and equal enjoyment. Here is pronounced the right of all men, and "consequently," as the Quaker preacher said, "of all women," to a voice in the government. And here, in this very first paragraph of the declaration, is the assertion of the natural right of all to the ballot; for, how can "the consent of the governed" be given, if the right to vote be denied. Again:

"That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundations on such principles, and organizing its powers in such forms as to them shall seem most likely to effect their safety and happiness."



Surely, the right of the whole people to vote is here clearly implied. For however destructive in their happiness this government might become, a disfranchised class could neither alter nor abolish it, nor institute a new one, except by the old brute force method of insurrection and rebellion. One-half of the people of this nation to-day are utterly powerless to blot from the statute books an unjust law, or to write there a new and a just one. The women, dissatisfied as they are with this form of government, that enforces taxation without representation,-that compels them to obey laws to which they have never given their consent, -that imprisons and hangs them without a trial by a jury of their peers, that robs them, in marriage, of the custody of their own persons, wages and children,-are this half of the people left wholly at the mercy of the other half, in direct violation of the spirit and letter of the declarations of the framers of this government, every one of which was based on the immutable principle of equal rights to all. By those declarations, kings, priests, popes, aristocrats, were all alike dethroned, and placed on a common level politically, with the lowliest born subject or serf. By them, too, me, as such, were deprived of their divine right to rule, and placed on a political level with women. By the practice of those declarations all class and caste distinction will be abolished; and slave, serf, plebeian, wife, woman, all alike, bound from their subject position to the proud platform of equality.

The preamble of the federal constitution says:

"We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and established this constitution for the United States of America."

It was we, the people, not we, the white male citizens, nor yet we, the male citizens; but we, the whole people, who formed this Union. And we formed it, not to give the blessings or liberty, but to secure them; not to the half of ourselves and the half of our posterity, but to the whole people-women as well as men. And it is downright mockery to talk to women of their enjoyment of the blessings of liberty while they are denied the use of the only means of securing them provided by this democratic-republican government-the ballot.

The early journals of Congress show that when the committee reported to that body the original articles of confederation, the very first article which became the subject of discussion was that respecting equality of suffrage. Article 4th said: "The better to secure and perpetuate mutual friendship and intercourse between the people of the different States of this Union, the free inhabitants of each of the States, (paupers, vagabonds and fugitives from justice excepted,) shall be entitled to all the privileges and immunities of the free citizens of the several States."

Thus, at the very beginning, did the fathers see the necessity of the universal application of the great principle of equal

rights to all-in order to produce the desired result-a harmonious union and a homogeneous people.

Luther Martin, attorney-general of Maryland, in his report to the Legislature of that State of the convention that framed the United States Constitution, said:

"Those who advocated the equality of suffrage took the matter up on the original principles of government: that the reason why each individual man in forming a State government should have an equal vote, is because each individual, before he enters into government, is equally free and equally independent."

James Madison said;

"Under every view of the subject, it seems indispensable that the mass of the citizens should not be without a voice in making the laws which they are to obey, and in choosing the magistrate who are to administer them." Also, "Let it be remembered, finally, that it has ever been the pride and the boast of America that the rights for which she contended were the rights of human nature."

And these assertions of the framers of the United States Constitution of the equal and natural rights of all the people to a voice in the government, have been affirmed and reaffirmed by the leading statesmen of the nation, throughout the entire history of our government.

Thaddeus Stevens, of Pennsylvania, said in 1866:

"I have made up my mind that elective franchise is one of the inalienable rights meant to be secured by the declaration of independence."

B. Gratz Brown, of Missouri, in the three day's discussion in the United States Senate in 1866, on Senator Cowan's motion to strike "male" from the District of Columbia suffrage bill, said:

"Mr. President, I say here on the floor of the American Senate, I stand for universal suffrage; and as a matter of fundamental principle, do not recognize the right of society to limit on any ground of race or sex. I will go farther and say, that I recognize the right of franchise as being intrinsically a natural right. I do not believe that society is authorized to impose any limitation upon it that do not spring out of the necessities of the social state itself. Sir, I have been shocked, in the course of this debate, to hear Senators declare this right only a conventional and political arrangement, a privilege yielded to you and me and others; not a right in any sense, only a concession! Mr. President, I do not hold my liberties by any such tenure. On the contrary, I believe that whenever you establish that doctrine, whenever you crystalize that idea in the public mind of this country, you ring the death-knell of American liberties."

Charles Sumner, in his brave protests against the fourteenth and fifteenth amendments, insisted that, so soon as by the thirteenth amendment the slaves became free men, the original powers of the United States Constitution guaranteed

to them equal rights-the right to vote and to be voted for. In closing one of his great speeches he said;

"I do not hesitate to say that when the slaves of our country became citizens they took their place in the body politic as a component part of the people, entitled to equal rights, and under the protection of these two guardian principles: First- That all just government stand on the consent of the governed; and second, that taxation without representation is tyranny; and these rights it is the duty of Congress to guarantee as essential to the ideal of a Republic."

The preamble of the Constitution of the State of New York declares the same purpose. It says: "We, the people of the State of New York, grateful to Almighty God for our freedom, in order to secure its blessings, do establish this Constitution."

Here is not the slightest intimation either of receiving freedom from the United States Constitution, or of the State conferring the blessings of liberty upon the people; and the same is true of every one of the thirty-six State Constitutions. Each and all, alike declare rights God-given, and that to secure the people in the enjoyment of their inalienable rights, is their one and only object in ordaining and establishing government. And all of the State Constitutions are equally emphatic in their recognition of the ballot as the means of securing the people in the enjoyment of these rights.

Article 1 of the New York State Constitution says: "No member of this State shall be disfranchised or deprived of the rights or privileges secured to any citizen thereof, unless by the law of the land, or the judgement of his peers."

And so carefully guarded is the citizen's right to vote, that the Constitution makes special mention of all who may be excluded. It says:

"Laws may be passed excluding from the right of suffrage all persons who have been or may be convicted of bribery, larceny or any infamous crime."

In naming the various employments that shall not affect the residence of voters-the 3d section of article 2d says "that being kept at any alms house, or other asylum, at public expense, nor being confined at any public prison, shall deprive a person of his residence," and hence his vote. Thus is the right of voting most sacredly hedged about. The only seeming permission in the New York State Constitution for the disfranchisement of women is in section 1st of article 2d, which says: "Every male citizen of the age of twenty-one years, c., shall be entitled to vote."

But I submit that in view of the explicit assertions of the equal right of the whole people, both in the preamble and previous article of the constitution, this omission of the adjective "female" in the second, should not be construed into a denial; but, instead, counted as of no effect. Mark the direct prohibition: "No member of this State shall be disfranchised, unless by the law of the land, or the judgement of his peers."

"The law of the land," is the United States Constitution: and there is no provision in that document that can be fairly construed into a permission to the States to deprive any class of their citizens of their right to vote. Hence New York can get no power from that source to disfranchise one entire half of her members. Nor has "the judgment of their peers" been pronounced against women exercising their right to vote; no disfranchised person is allowed to be judge or juror- and none but disfranchised persons can be women's peers; nor has the legislature passed laws excluding them on account of idiocy or lunacy; nor yet the courts convicted them of bribery, larceny, or any infamous crime. Clearly, then, there is no constitutional ground for the exclusion of women from the ballot-box in the State of New York, No barriers whatever stand to-day between women and the exercise of their right to vote save those of precedent and prejudice.

The clauses of the United States Constitution, cited by our opponents as giving power to the States to disfranchise any classes of citizens they shall please, are contained in sections 2d and 4th of article 1st. The second says: "The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature."

This cannot be construed into a concession to the States of the power to destroy the right to become an elector, but

simply to prescribe what shall be the qualification, such as competency of intellect, maturity of age, length of residence, that shall be deemed necessary to enable them to make an intelligent choice of candidates. If, as our opponents assert, the last clause of this section makes it the duty of the United States to protect citizens in the several States against higher or different qualifications for electors for representatives in Congress, than for members of Assembly, them must the first clause make it equally imperative for the national government to interfere with the States, and forbid them from arbitrarily cutting off the right of one-half of the people to become electors altogether. Section 4th says:

"The time, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislative thereof; but Congress may at any time, by law, make or alter such regulations, except as to the places by choosing Senators."

Here is conceded the power only to prescribed times, places and manner of holding the elections; and even with these Congress may interfere, with all excepting the mere place of choosing Senators. Thus you see, there is not the slightest permission in either section for the States to discriminate against the right of any class of citizens to vote. Surely, to regulate cannot be to annihilate! nor to qualify to wholly deprive. And to this principle every true Democrat and Republican said amen, when applied to black men by Senator Sumner in his great speeches for EQUAL RIGHTS

TO ALL from 1865 to 1869; and when, in 1871, I asked that Senator to declare the power of the United States Constitution to protect women in their right to vote-as he had done for black men-he handed me a copy of all his speeches during that reconstruction period, and said:

"Miss Anthony, put sex where I have race or color, and you have here the best and strongest argument I can make for woman. There is not a doubt but women have the constitutional right to vote, and I will never vote for a sixteenth amendment to guarantee it to them. I voted for both the fourteenth and fifteenth under protest; would never have done it but for the pressing emergency of that hour; would have insisted that the power of the original Constitution to protect all citizens in the equal enjoyment of their rights should have been vindicated through the courts. But the newly made freedmen had neither the intelligence, wealth nor time to wait that slow process. Women possess all these in an eminent degree, and I insist that they shall appeal to the courts, and through them establish the power of our American magna charta, to protect every citizen of the Republic. But, friends, when in accordance with Senator Sumner's counsel, I went to the ballot-box, last November, and exercised my citizen's right to vote, the courts did not wait for me to appeal to them-they appealed to me, and indicted me on the charge of having voted illegally.

Senator Sumner, putting sex where he did color, said:

"Qualifications cannot be in their nature permanent or insurmountable. Sex cannot be a qualification any more than size, race, color, or previous condition of servitude. A permanent or insurmountable qualification is equivalent to a de-privation of the suffrage. In other words, it is the tyranny of taxation without representation, against which our revolutionary mothers, as well as fathers, rebelled."

For any State to make sex a qualification that must ever result in the disfranchisement of one entire half of the people, is to pass a bill of attainder, or an ex post facto law, and is therefore a violation of the supreme law of the land. By it, the blessings of liberty are forever withheld from women and their female posterity. To them, this government has no just powers derived from the consent of the governed. To them this government is not a democracy. It is not a republic. It is an odious aristocracy; a hateful oligarchy of sex. The most hateful aristocracy ever established on the face of the globe. An oligarchy of wealth, where the rich govern the poor; an oligarchy of learning, where the educated govern the ignorant; or even an oligarchy of race, where the Saxon rules the African, might be endured; but this oligarchy of sex, which makes father, brothers, husband, sons, the oligarchs over the mother and sisters, the wife and daughters of every household; which ordains all men sovereigns, all women subjects, carries dissension, discord and rebellion into every home of the nation. And this most odious aristocracy exists, too, in the face of Section 4, of Article 4, which says: "The

United States shall guarantee to every State in the Union a republican form of government."

What, I ask you, is the distinctive difference between the inhabitants of a monarchical and those of a republican form of government, save that in the monarchical the people are subjects, helpless, powerless, bound to obey laws made by superiors-while in the republican, the people are citizens, individual sovereigns, all clothed with equal power, to make and unmake both their laws and law makers, and the moment you deprive a person of his right to a voice in the government, you degrade him from the status of a citizen of the republic, to that of a subject, and it matters very little to him whether his monarch be an individual tyrant, as is the Czar of Russia, or a 15,000,000 headed monster, as here in the United States; he is a powerless subject, serf or slave; not a free and independent citizen in any sense.

But it is urged, the use of the masculine pronouns he, his and him, in all the constitutions and laws, is proof that only men were meant to be included in their provisions. If you insist on this version of the letter of the law, we shall insist that you be consistent, and accept the other horn of the dilemma, which would compel you to exempt women from taxation for the support of the government, and from penalties for the violation of laws.

SECTION 3

Post-Civil War and Reconstruction

Democracy and Education

by BOOKER T. WASHINGTON

September 30, 1896

Mr. Chairman, Ladies and Gentlemen:

It is said that the strongest chain is no stronger than its weakest link. In the Southern part of our country there are twenty-two millions of your brethren who are bound to you by



ties which you cannot tear asunder if you would. The most intelligent man in your community has his intelligence darkened by the ignorance of a fellow citizen in the Mississippi bottoms. The most wealthy in your city would be more wealthy but for the poverty of a fellow being in the Carolina rice swamps. The most moral and religious among you has his religion and morality modified by the degradation of the man in the South whose religion is a mere matter of form or emotionalism.

The vote in your state that is cast for the highest and purest form of government is largely neutralized by the vote of the man in Louisiana whose ballot is stolen or cast in ignorance. When the South is poor, you are poor; when the South commits crime, you commit crime. My friends, there is no mistake; you must help us to raise the character of our civilization or yours will be lowered...

Can you make your intelligence affect us in the same ratio that our ignorance affects you? Let us put a not improbable case, one that involves peace or war, the honor or dishonor of our nation--yea, the very existence of the government. The North and West are divided. There are five million votes to be cast in the South, and of this number one half are ignorant. Not only are one half the voters ignorant, but, because of this ignorant vote, corruption, dishonesty in a dozen forms have crept into the exercise of the political franchise.... The time may not be far off when to this kind of

jury we shall have to look for the verdict that is to decide the course of our democratic institutions.

When a great national calamity stares us in the face, we are, I fear, too much given to depending on a short campaign of education to do on the hustings what should have been accomplished in the schoolroom. With this preliminary survey, let us examine with more care the work to be done in the South before all classes will be fit for the highest duties of citizenship.

In reference to my own race I am confronted with some embarrassment at the outset because of the various and conflicting opinions as to what is to be its final place in our economic and political life. Within the last thirty years--and, I might add, within the last three months--it has been proven by eminent authority that the Negro is increasing in numbers so fast that it is only a question of a few years before he will far outnumber the white race in the South, and it has also been proven that the Negro is fast dying out and it is only a question of a few years before he will have completely disappeared. It has also been proven that crime among us is on the increase and that crime is on the decrease; that education helps the Negro, that education also hurts him; that he is fast leaving the South and taking up his residence in the North and West, and that the tendency of the Negro is to drift to the lowlands of the Mississippi bottoms. It has been proven that as a slave laborer he produced less cotton

than a free man. It has been proven that education unfits the Negro for work....

In the midst of this confusion there are a few things of which I feel certain that furnish a basis for thought and action. I know ... that, whether in slavery or freedom, we have always been loyal to the Stars and Stripes, that no schoolhouse has been opened for us that has not been filled; that 1,500,000 ballots that we have the right to cast are as potent for weal and woe as the ballot cast by the whitest and most influential man in your commonwealth....

I fear that the wisest and most interested have not fully comprehended the task which American slavery has laid at the doors of the Republic. Few, I fear, realize what is to be done before the seven million of my people in the South can be made a safe, helpful, progressive part of our institutions. The South, in proportion to its ability, has done well, but this does not change facts. Let me illustrate what I mean by a single example. In spite of all that has been done, I was in a county in Alabama a few days ago where there are some thirty thousand colored people and about seven thousand whites; in this county not a single public school for Negroes has been open this year longer than three months, not a single colored teacher has been paid more than fifteen dollars a month for his teaching. Not one of these schools was taught in a building worthy of the name of schoolhouse. In this county the state or public authorities do not own a dollar's

worth of school property--not a schoolhouse, a blackboard, or a piece of crayon.

Each colored child had spent on him this year for his education about fifty cents, while one of your children had spent on him this year for education not far from twenty dollars. And yet each citizen of this county is expected to share the burdens and privileges of our democratic form of government just as intelligently and conscientiously as the citizens of your beloved Kings County. A vote in this county means as much to the nation as a vote in the city of Boston....

I have referred to industrial education as a means of fitting

the millions
of my
people in
the South
for the
duties of
citizenship.
Until there
is industrial



independence it is hardly possible to have a pure ballot. In the country districts of the Gulf states it is safe to say that not more than one black man in twenty owns the land he cultivates. Where so large a proportion of the people are

dependent, live in other people's houses, eat other people's food, and wear clothes they have not paid for, it is a pretty hard thing to tell how they are going to vote.

My remarks thus far have referred mainly to my own race. But there is another side. The longer I live and the more I study the question, the more I am convinced that it is not so much a problem as to what you will do with the Negro as what the Negro will do with you and your civilization.... The educators, the statesmen, the philanthropists have never comprehended their duty toward the millions of poor whites in the South who were buffeted for two hundred years between slavery and freedom, between civilization and degradation, who were disregarded by both master and slave. It needs no prophet to tell the character of our future civilization when the poor white boy in the country districts of the South receives one dollar's worth of education and your boy twenty dollars' worth, when one never enters a library or reading room and the other has libraries and reading rooms in every ward and town. When one hears lectures and sermons once in two months and the other can hear a lecture or sermon every day in the year. When you help the South you help yourselves...

Some years ago a bright young man of my race succeeded in passing a competitive examination for a cadetship at the United States Naval Academy at Annapolis. Says the young man, Mr. Henry Baker, in describing his stay at this institution: "I was several times attacked with stones and was

forced finally to appeal to the officers, when a marine was detailed to accompany me across the campus and from the mess hall at meal times. My books were mutilated, my clothes were cut and in some instances destroyed, and all the petty annoyances which ingenuity could devise were inflicted upon me daily, and during seamanship practice aboard the Dale attempts were often made to do me personal injury while I would be aloft in the rigging. No one ever addressed me by name. I was called the Moke usually, the Nigger for variety. I was shunned as if I were a veritable leper, and received curses and blows as the only method my persecutors had of relieving the monotony."



Not once during the two years, with one exception, did any one of the more than four hundred cadets enrolled ever come to him with a word of advice, counsel,

sympathy, or information.... The one exception was in the case of a Pennsylvania boy, who stealthily brought him a piece of his birthday cake at twelve o'clock one night. The act so surprised Baker that his suspicions were aroused, but

these were dispelled by the donor, who read to him a letter which he had received from his mother, from whom the cake came, in which she requested that a slice be given to the colored cadet who was without friends.

I recite this incident not for the purpose merely of condemning the wrong done a member of my race; no, no, not that. I mention the case, not for the one cadet, but for the sake of the four hundred cadets, for the sake of the four hundred American families, the four hundred American communities whose civilization and Christianity these cadets represented. Here were four hundred and more young men representing the flower of our country, who had passed through our common schools and were preparing themselves at public expense to defend the honor of our country. And yet, with grammar, reading, and arithmetic in the public schools, and with lessons in the arts of war, the principles of physical courage at Annapolis, both systems seemed to have utterly failed to prepare a single one of these young men for real life, that he could be brave enough, Christian enough, American enough, to take this poor defenseless black boy by the hand in open daylight and let the world know that he was his friend. Education, whether of black man or white man, that gives one physical courage to stand in front of the cannon and fails to give him moral courage to stand up in defense of right and justice is a failure.

... My friends, we are one in this country. The question of the highest citizenship and the complete education of all

concerns nearly ten million of my own people and over sixty million of yours. We rise as you rise; when we fall you fall. When you are strong we are strong; when we are weak you are weak. There is no power than can separate our destiny. The Negro can afford to be wronged; the white man cannot afford to wrong him.... If a white man steals a Negro's ballot it is the white man who is permanently injured. Physical death comes to the one Negro lynched in a county, but death of the morals--death of the soul--comes to the thousands responsible for the lynching.

We are a patient, humble people. We can afford to work and wait. There is plenty in this country for us to do. Away up in

the atmosphere of goodness, forbearance, patience, long-suffering, and forgiveness the workers are not many or

overcrowded. If others would be little we can be great. If others would be mean we can be good. If others would push us down we can help push them up. Character, not circumstances, makes the man....



During the next half-century and more my race must continue passing through the severe American crucible. We are to be tested in our patience, in our forbearance, our power to endure wrong, to withstand temptation, to succeed, to acquire and use skill, our ability to compete, to succeed in commerce; to disregard the superficial for the real, the appearance for the substance; to be great and yet the servant of all. This, this is the passport to all that is best in the life of our republic, and the Negro must possess it or be debarred. In working out our destiny, while the main burden and center of activity must be with us, we shall need in a large measure the help, the encouragement, the guidance that the strong can give the weak. Thus helped, we of both races in the South shall soon throw off the shackles of racial and sectional prejudice and rise above the clouds of ignorance, narrowness, and selfishness into that atmosphere, that pure sunshine, where it will be our highest ambition to serve man, our brother, regardless of race or past conditions.

The Talented Tenth

By WEB DUBOIS

September 1903

The Negro race, like all races, is going to be saved by its exceptional men. The problem of education, then, among Negroes must first of all deal with the Talented Tenth; it is the problem of developing the Best of this race that they may guide the Mass away from the contamination and death of the Worst, in their own and other races. Now the training of men is a difficult and intricate task. Its technique is a matter for educational experts, but its object is for the vision of seers. If we make money the object of man-training, we shall develop money-makers but not necessarily men; if we make technical skill the object of education, we may possess artisans but not, in nature, men. Men we shall have only as we make manhood the object of the work of the schools—intelligence, broad sympathy, knowledge of the world that was and is, and of the relation of men to it—this is the curriculum of that Higher Education which must



underlie true life. On this foundation we may build bread winning, skill of hand and quickness of brain, with never a fear lest the child and man mistake the means of living for the object of life.

If this be true—and who can deny it—three tasks lay before me; first to show from the past that the Talented Tenth as they have risen among American Negroes have been worthy of leadership; secondly to show how these men may be educated and developed; and thirdly to show their relation to the Negro problem.

You misjudge us because you do not know us. From the very first it has been the educated and intelligent of the Negro people that have led and elevated the mass, and the sole obstacles that nullified and retarded their efforts were slavery and race prejudice; for what is slavery but the legalized survival of the unfit and the nullification of the work of natural internal leadership? Negro leadership therefore sought from the first to rid the race of this awful incubus that it might make way for natural selection and the survival of the fittest. In colonial days came Phillis Wheatley and Paul Cuffe striving against the bars of prejudice; and Benjamin Banneker, the almanac maker, voiced their longings when he said to Thomas Jefferson, "I freely and cheerfully acknowledge that I am of the African race and in colour which is natural to them, of the deepest dye; and it is under a sense of the most profound gratitude to the Supreme Ruler of the Universe, that I now confess to you that I am not

under that state of tyrannical thralldom and inhuman captivity to which too many of my brethren are doomed, but that I have abundantly tasted of the fruition of those blessings which proceed from that free and unequalled liberty with which you are favored, and which I hope you will willingly allow, you have mercifully received from the immediate hand of that Being from whom proceedeth every good and perfect gift.

"Suffer me to recall to your mind that time, in which the arms of the British crown were exerted with every powerful effort, in order to reduce you to a state of servitude; look back, I entreat you, on the variety of dangers to which you were exposed; reflect on that period in which every human aid appeared unavailable, and in which even hope and fortitude wore the aspect of inability to the conflict, and you cannot but be led to a serious and grateful sense of your miraculous and providential preservation, you cannot but acknowledge, that the present freedom and tranquility which you enjoy, you have mercifully received, and that a peculiar blessing of heaven.

"This, sir, was a time when you clearly saw into the injustice of a state of Slavery, and in which you had just apprehensions of the horrors of its condition. It was then that your abhorrence thereof was so excited, that you publicly held forth this true and invaluable doctrine, which is worthy to be recorded and remembered in all succeeding ages: "We hold these truths to be self evident, that all men are created

equal; that they are endowed with certain inalienable rights, and that among these are life, liberty and the pursuit of happiness."

Then came Dr. James Derham, who could tell even the learned Dr. Rush something of medicine, and Lemuel Haynes, to whom Middlebury College gave an honorary A. M. in 1804. These and others we may call the Revolutionary group of

distinguished Negroes – they were persons of marked ability, leaders of a Talented Tenth, standing conspicuously among the best of their time. They strove by word

and deed to save the color line from becoming the line between the bond and free, but all they could do was nullified by Eli Whitney and the Curse of Gold. So they passed into forgetfulness.

But their spirit did not wholly die; here and there in the early part of the century came other exceptional men. Some were natural sons of unnatural fathers and were given often a liberal training and thus a race of educated mulattoes sprang



up to plead for black men's rights. There was Ira Aldridge, whom all Europe loved to honor; there was that Voice crying in the Wilderness, David Walker, and saying:

"I declare it does appear to me as though some nations think God is asleep, or that he made the Africans for nothing else but to dig their mines and work their farms, or they cannot believe history sacred or profane. I ask every man who has a heart, and is blessed with the privilege of believing— Is not God a God of justice to all his creatures? Do you say he is? Then if he gives peace and tranquility to tyrants and permits them to keep our fathers, our mothers, ourselves and our children in eternal ignorance and wretchedness to support them and their families, would he be to us a God of Justice? I ask, O, ye Christians, who hold us and our children in the most abject ignorance and degradation that ever a people were afflicted with since the world began—I say if God gives you peace and tranquility, and suffers you thus to go on afflicting us, and our children, who have never given you the least provocation — would He be to us a God of Justice? If you will allow that we are men, who feel for each other, does not the blood of our fathers and of us, their children, cry aloud to the Lord of Sabaoth against you for the cruelties and murders with which you have and do continue to afflict us?"

This was the wild voice that first aroused Southern legislators in 1829 to the terrors of abolitionism.

In 1831 there met that first Negro convention in Philadelphia, at which the world gaped curiously but which

bravely attacked the problems of race and slavery, crying out against persecution and declaring that "Laws as cruel in themselves as they were unconstitutional and unjust, have in many places been enacted against our poor, unfriended and unoffending brethren (without a shadow of provocation on our part), at whose bare recital the very savage draws himself up for fear of contagion—looks noble and prides himself because he bears not the name of Christian." Side by side this free Negro movement, and the movement for abolition, strove until they merged in to one strong stream. Too little notice has been taken of the work which the Talented Tenth among Negroes took in the great abolition crusade. From the very day that a Philadelphia colored man became the first subscriber to Garrison's "Liberator," to the day when Negro soldiers made the Emancipation Proclamation possible, black leaders worked shoulder to shoulder with white men in a movement, the success of which would have been impossible without them. There was Purvis and Remond, Pennington and Highland Garnett, Sojourner Truth and Alexander Crummel, and above, Frederick Douglass—what would the abolition movement have been without them? They stood as living examples of the possibilities of the Negro race, their own hard experiences and well wrought culture said silently more than all the drawn periods of orators—they were the men who made American slavery impossible. As Maria Weston Chapman said, from the school of anti-slavery agitation, "a throng of authors, editors, lawyers, orators and accomplished

gentlemen of color have taken their degree! It has equally implanted hopes and aspirations, noble thoughts, and sublime purposes, in the hearts of both races. It has prepared the white man for the freedom of the black man, and it has made the black man scorn the thought of enslavement, as does a white man, as far as its influence has extended. Strengthen that noble influence! Before its organization, the country only saw here and there in slavery some faithful Cudjoe or Dinah, whose strong natures blossomed even in bondage, like a fine plant beneath a heavy stone. Now, under the elevating and cherishing influence of the American Anti-slavery Society, the colored race, like the white, furnishes Corinthian capitals for the noblest temples."

Where were these black abolitionists trained? Some, like Frederick Douglass, were self-trained, but yet trained liberally; others, like Alexander Crummell and McCune Smith, graduated from famous foreign universities. Most of them rose up through the colored schools of New York and Philadelphia and Boston, taught by college-bred men like Russworm, of Dartmouth, and college-bred white men like Neau and Benezet.

After emancipation came a new group of educated and gifted leaders: Langston, Bruce and Elliot, Greener, Williams and Payne. Through political organization, historical and polemic writing and moral regeneration, these men strove to uplift their people. It is the fashion of to-day to sneer at them and to say that with freedom Negro leadership should have

begun at the plow and not in the Senate—a foolish and mischievous lie; two hundred and fifty years that black serf toiled at the plow and yet that toiling was in vain till the Senate passed the war amendments; and two hundred and fifty years more the half-free serf of to-day may toil at his plow, but unless he have political rights and righteously guarded civic status, he will still remain the poverty-stricken and ignorant plaything of rascals, that he now is. This all sane men know even if they dare not say it.

And so we come to the present—a day of cowardice and vacillation, of strident wide-voiced wrong and faint hearted compromise; of double-faced dallying with Truth and Right. Who are to-day guiding the work of the Negro people? The "exceptions" of course. And yet so sure as this Talented Tenth is pointed out, the blind worshippers of the Average cry out in alarm: "These are exceptions, look here at death, disease and crime—these are the happy rule." Of course they are the rule, because a silly nation made them the rule: Because for three long centuries this people lynched Negroes who dared to be brave, raped black women who dared to be virtuous, crushed dark-hued youth who dared to be ambitious, and encouraged and made to flourish servility and lewdness and apathy. But nor even this was able to crush all manhood and chastity and aspiration from black folk. A saving remnant continually survives and persists, continually aspires, continually shows itself in thrift and ability and character. Exceptional it is to be sure, but this is its chiefest

promise; it shows the capability of Negro blood, the promise of black men. Do Americans ever stop to reflect that there are in this land a million men of Negro blood, well-educated, owners of homes, against the honor of whose womanhood no breath was ever raised, whose men occupy positions of trust and usefulness, and who, judged by any standard, have reached the full measure of the best type of modern European culture? Is it fair, is it decent, is it Christian to ignore these facts of the Negro problem, to belittle such aspiration, to nullify such leadership and seek to crush these people back into the mass out of which by toil and travail, they and their fathers have raised themselves?

Can the masses of the Negro people be in any possible way more quickly raised than by the effort and example of this aristocracy of talent and character? Was there ever a nation on God's fair earth civilized from the bottom upward? Never; it is, ever was and ever will be from the top downward that culture filters. The Talented Tenth rises and pulls all that are worth the saving up to their vantage ground. This is the history of human progress; and the two historic mistakes which have hindered that progress were the thinking first that no more could ever rise save the few already risen; or second, that it would better the uprisen to pull the risen down.

How then shall the leaders of a struggling people be trained and the hands of the risen few strengthened? There can be but one answer: The best and most capable of their youth

must be schooled in the colleges and universities of the land. We will not quarrel as to just what the university of the Negro should teach or how it should teach it—I willingly admit that each soul and each race-soul needs its own peculiar curriculum. But this is true: A university is a human invention for the transmission of knowledge and culture from generation to generation, through the training of quick minds and pure hearts, and for this work no other human invention will suffice, not even trade and industrial schools.

All men cannot go to college but some men must; every isolated group or nation must have its yeast, must have for the talented few centers of training where men are not so mystified and befuddled by the hard and necessary toil of earning a living, as to have no aims higher than their bellies, and no God greater than Gold. This is true training, and thus in the beginning were the favored sons of the freedmen trained. Out of tile colleges of the North came, after the blood of war, Ware, Cravath, Chase, Andrews, Bumstead and Spence to build the foundations of knowledge and civilization in the black South. Where ought they to have begun to build? At the bottom, of course, quibbles the mole with his eyes in the earth. Aye! truly at the bottom, at the very bottom; at the bottom of knowledge, down in the very depths of knowledge there where the roots of justice strike into the lowest soil of Truth. And so they did begin; they founded colleges, and up from the colleges shot normal schools, and out from the normal schools went teachers, and

around the normal teachers clustered other teachers to teach the public schools; the college trained in Greek and Latin and mathematics, 2,000 men; and these men trained full 50,000 others in morals and manners, and they in turn taught thrift and the alphabet to nine millions of men, who to-day hold \$300,000,000 of property. It was a miracle – the most wonderful peace-battle of the 19th century, and yet to-day men smile at it, and in fine superiority tell us that it was all a strange mistake; that a proper way to found a system of education is first to gather the children and buy them spelling books and hoes; afterward men may look about for teachers, if haply they may find them; or again they would teach men Work, but as for Life—why, what has Work to do with Life, they ask vacantly.

Was the work of these college founders successful; did it stand the test of time? Did the college graduates, with all their fine theories of life, really live? Are they useful men helping to civilize and elevate their less fortunate fellows? Let us see. Omitting all institutions which have not actually graduated students from a college course, there are to-day in the United States thirty-four institutions giving something above high school training to Negroes and designed especially for this race.

Three of these were established in border States before the War; thirteen were planted by the Freedmen's Bureau in the years 1864-1869; nine were established between 1870 and 1880 by various church bodies; five were established after

1881 by Negro churches, and four are state institutions supported by United States' agricultural funds. In most cases the college departments are small adjuncts to high and common schoolwork. As a matter of fact six institutions—Atlanta, Fisk, Howard, Shaw, Wilberforce and Leland, are the important Negro colleges so far as actual work and number of students are concerned. In all these institutions, seven hundred and fifty Negro college students are enrolled. In grade the best of these colleges are about a year behind the smaller New England colleges and a typical curriculum is that of Atlanta University. Here students from the grammar grades, after a three years' high school course, take a college course of 136 weeks. One-fourth of this time is given to Latin and Greek; one-fifth, to English and modern languages; one-sixth, to history and social science; one-seventh, to natural science; one-eighth to mathematics, and one-eighth to philosophy and pedagogy.

In addition to these students in the South, Negroes have attended Northern colleges for many years. As early as 1826 one was graduated from Bowdoin College, and from that time till to-day nearly every year has seen elsewhere, other such graduates. They have, of course, met much color prejudice. Fifty years ago very few colleges would admit them at all. Even to-day no Negro has ever been admitted to Princeton, and at some other leading institutions they are rather endured than encouraged. Oberlin was the great pioneer in the work of blotting out the color line in colleges,

and has more Negro graduates by far than any other Northern college.

The total number of Negro college graduates up to 1899, (several of the graduates of that year not being reported), was as follows...

...Of these graduates 2,079 were men and 252 were women; 50 percent. of Northern-born college men come South to work among the masses of their people, at a sacrifice which few people realize; nearly 90 per cent. of the Southern-born graduates instead of seeking that personal freedom and broader intellectual atmosphere which their training has led them, in some degree, to conceive, stay and labor and wait in the midst of their black neighbors and relatives.

The most interesting question, and in many respects the crucial question, to be asked concerning college-bred Negroes, is: Do they earn a living? It has been intimated more than once that the higher training of Negroes has resulted in sending into the world of work, men who could find nothing to do suitable to their talents. Now and then there comes a rumor of a colored college man working at menial service, etc. Fortunately, returns as to occupations of college-bred Negroes, gathered by the Atlanta conference, are quite full—nearly sixty per cent. of the total number of graduates.

This enables us to reach fairly certain conclusions as to the occupations of all college-bred Negroes. Of 1,312 persons reported, there were:

Teachers, 53.4%

Clergymen, 16.8%

Physicians, etc., 6.3%

Students, 5.6%

Lawyers, 4.7%

In Govt. Service, 4.0%

In Business, 3.6%

Farmers and Artisans, 2.7%

Editors, Secretaries and Clerks, 2.4%

Miscellaneous, .5

Over half are teachers, a sixth are preachers, another sixth are students and professional men; over 6 per cent. are farmers, artisans and merchants, and 4 per cent. are in government service. In detail the occupations are as follows:

Occupations of College-Bred Men.

701 Teachers:

Presidents and Deans, 19

Teacher of Music, 7

Professors, Principals and Teachers, 675
221 Clergymen:
Bishop, 1
Chaplains U. S. Army, 2
Missionaries, 9
Presiding Elders, 12
Preachers, 197
83 Physicians:
Doctors of Medicine, 76
Druggists, 4
Dentists, 3
74 Students
62 Lawyers
53 in Civil Service:
U. S. Minister Plenipotentiary, 1
U. S. Consul, 1
U. S. Deputy Collector, 1
U. S. Gauger, 1
U. S. Postmasters, 2
U. S. Clerks, 44

State Civil Service, 2
City Civil Service, 1
47 Business Men:
Merchants, etc., 30
Managers, 13
Real Estate Dealers, 4
26 Farmers
22 Clerks and Secretaries:
Secretary of National Societies, 7
Clerks, etc., 15
9 Artisans
9 Editors
5 Miscellaneous

These figures illustrate vividly the function of the college-bred Negro. He is, as he ought to be, the group leader, the man who sets the ideals of the community where he lives, directs its thoughts and heads its social movements. It need hardly be argued that the Negro people need social leadership more than most groups; that they have no traditions to fall back upon, no long established customs, no strong family ties, no well defined social classes. All these things must be slowly and painfully evolved. The preacher

was, even before the war, the group leader of the Negroes, and the church their greatest social institution. Naturally this preacher was ignorant and often immoral, and the problem of replacing the older type by better educated men has been a difficult one. Both by direct work and by direct influence on other preachers, and on congregations, the college-bred preacher has an opportunity for reformatory work and moral inspiration, the value of which cannot be overestimated.

It has, however, been in the furnishing of teachers that the Negro college has found its peculiar function. Few persons realize how vast a work, how mighty a revolution has been thus accomplished. To furnish five millions and more of ignorant people with teachers of their own race and blood, in one generation, was not only a very difficult undertaking, but very important one, in that, it placed before the eyes of almost every Negro child an attainable ideal. It brought the masses of the blacks in contact with modern civilization, made black men the leaders of their communities and trainers of the new generation. In this work college-bred Negroes were first teachers, and then teachers of teachers. And here it is that the broad culture of college work has been of peculiar value. Knowledge of life and its wider meaning, has been the point of the Negro's deepest ignorance, and the sending out of teachers whose training has not been simply for bread winning, but also for human culture, has been of inestimable value in the training of these men.

In earlier years the two occupations of preacher and teacher were practically the only ones open to the black college graduate. Of later years a larger diversity of life among his people, has opened new avenues of employment. Nor have these college men been paupers and spendthrifts; 557 college-bred Negroes owned in 1899, \$1,342,862.50 worth of real estate (assessed value), or \$2,411 per family. The real value of the total accumulations of the whole group is perhaps about \$10,000,000, or \$5,000 a piece. Pitiful is it not beside the fortunes of oil kings and steel trusts, but after all is the fortune of the millionaire the only stamp of true and successful living? Alas! it is, with many and there's the rub.

The problem of training the Negro is to-day immensely complicated by the fact that the whole question of the efficiency and appropriateness of our present systems of education, for any kind of child, is a matter of active debate, in which final settlement seems still afar off. Consequently it often happens that persons arguing for or against certain systems of education for Negroes, have these controversies in mind and miss the real question at issue. The main question, so far as the Southern Negro is concerned, is: What under the present circumstance, must a system of education do in order to raise the Negro as quickly as possible in the scale of civilization? The answer to this question seems to me clear: It must strengthen the Negro's character, increase his knowledge and teach him to earn a living. Now it goes without saying that it is hard to do all these things

simultaneously or suddenly and that at the same time it will not do to give all the attention to one and neglect the others; we could give black boys trades, but that alone will not civilize a race of ex-slaves; we might simply increase their knowledge of the world, but this would not necessarily make them wish to use this knowledge honestly; we might seek to strengthen character and purpose, but to what end if this people have nothing to eat or to wear? A system of education is not one thing, nor does it have a single definite object, nor is it a mere matter of schools. Education is that whole system of human training within and without the school house walls, which molds and develops men. If then we start out to train an ignorant and unskilled people with a heritage of bad habits, our system of training must set before itself two great aims—the one dealing with knowledge and character, the other part seeking to give the child the technical knowledge necessary for him to earn a living under the present circumstances. These objects are accomplished in part by the opening of the common schools on the one, and of the industrial schools on the other. But only in part, for there must also be trained those who are to teach these schools—men and women of knowledge and culture and technical skill who understand modern civilization, and have the training and aptitude to impart it to the children under them. There must be teachers, and teachers of teachers, and to attempt to establish any sort of a system of common and industrial school training, without first (and I say first advisedly) without first providing for the higher training of the very

best teachers, is simply throwing your money to the winds. School houses do not teach themselves—piles of brick and mortar and machinery do not send out men. It is the trained, living human soul, cultivated and strengthened by long study and thought, that breathes the real breath of life into boys and girls and makes them human, whether they be black or white, Greek, Russian or American. Nothing, in these latter days, has so dampened the faith of thinking Negroes in recent educational movements, as the fact that such movements have been accompanied by ridicule and denunciation and decrying of those very institutions of higher training which made the Negro public school possible, and make Negro industrial schools thinkable. It was: Fisk, Atlanta, Howard and Straight, those colleges born of the faith and sacrifice of the abolitionists, that placed in the black schools of the South the 30,000 teachers and more, which some, who deprecate the work of these higher schools, are using to teach their own new experiments. If Hampton, Tuskegee and the hundred other industrial schools prove in the future to be as successful as they deserve to be, then their success in training black artisans for the South, will be due primarily to the white colleges of the North and the black colleges of the South, which trained the teachers who to-day conduct these institutions. There was a time when the American people believed pretty devoutly that a log of wood with a boy at one end and Mark Hopkins at the other, represented the highest ideal of human training. But in these eager days it would seem that we have changed all that and

think it necessary to add a couple of saw-mills and a hammer to this outfit, and, at a pinch, to dispense with the services of Mark Hopkins.

I would not deny, or for a moment seem to deny, the paramount necessity of teaching the Negro to work, and to work steadily and skillfully; or seem to deprecate in the slightest degree the important part industrial schools must play in the accomplishment of these ends, but I do say, and insist upon it, that it is industrialism drunk with its vision of success, to imagine that its own work can be accomplished without providing for the training of broadly cultured men and women to teach its own teachers, and to teach the teachers of the public schools.

But I have already said that human education is not simply a matter of schools; it is much more a matter of family and group life – the training of one's home, of one's daily companions, of one's social class. Now the black boy of the South moves in a black world – a world with its own leaders, its own thoughts, its own ideals. In this world he gets by far the larger part of his life training, and through the eyes of this dark world he peers into the veiled world beyond. Who guides and determines the education which he receives in his world? His teachers here are the group-leaders of the Negro people—the physicians and clergymen, the trained fathers and mothers, the influential and forceful men about him of all kinds; here it is, if at all, that the culture of the surrounding world trickles through and is handed on by the graduates of

the higher schools. Can such culture training of group leaders be neglected? Can we afford to ignore it? Do you think that if the leaders of thought among Negroes are not trained and educated thinkers, that they will have no leaders? On the contrary a hundred half-trained demagogues will still hold the places they so largely occupy now, and hundreds of vociferous busy-bodies will multiply. You have no choice; either you must help furnish this race from within its own ranks with thoughtful men of trained leadership, or you must suffer the evil consequences of a headless misguided rabble.

I am an earnest advocate of manual training and trade teaching for black boys, and for white boys, too. I believe that next to the founding of Negro colleges the most valuable addition to Negro education since the war, has been industrial training for black boys. Nevertheless, I insist that the object of all true education is not to make men carpenters, it is to make carpenters men; there are two means of making the carpenter a man, each equally important: the first is to give the group and community in which he works, liberally trained teachers and leaders to teach him and his family what life means; the second is to give him sufficient intelligence and technical skill to make him an efficient workman; the first object demands the Negro college and college-bred men—not a quantity of such colleges, but a few of excellent quality; not too many college-bred men, but enough to leaven the lump, to inspire the masses, to raise the

Talented Tenth to leadership; the second object demands a good system of common schools, well-taught, conveniently located and properly equipped.

The Sixth Atlanta Conference truly said in 1901:

"We call the attention of the Nation to the fact that less than one million of the three million Negro children of school age, are at present regularly attending school, and these attend a session which lasts only a few months.

"We are to-day deliberately rearing millions of our citizens in ignorance, and at the same time limiting the rights of citizenship by educational qualifications. This is unjust. Half the black youth of the land have no opportunities open to them for learning to read, write and cipher. In the discussion as to the proper training of Negro children after they leave the public schools, we have forgotten that they are not yet decently provided with public schools.

"Propositions are beginning to be made in the South to reduce the already meagre school facilities of Negroes. We congratulate the South on resisting, as much as it has, this pressure, and on the many millions it has spent on Negro education. But it is only fair to point out that Negro taxes and the Negroes' share of the income from indirect taxes and endowments have fully repaid this expenditure, so that the Negro public school system has not in all probability cost the white taxpayers a single cent since the war.

"This is not fair. Negro schools should be a public burden, since they are a public benefit. The Negro has a right to demand good common school training at the hands of the States and the Nation since by their fault he is not in position to pay for this himself."

What is the chief need for the building up of the Negro public school in the South? The Negro race in the South needs teachers to-day above all else. This is the concurrent testimony of all who know the situation. For the supply of this great demand two things are needed – institutions of higher education and money for school houses and salaries. It is usually assumed that a hundred or more institutions for Negro

training are to-day turning out so many teachers and college-bred men that the race is threatened with an over-supply. This is sheer nonsense. There are to-day less than 3,000 living Negro college graduates in the United States, and less than 1,000 Negroes in college. Moreover, in the 164 schools for Negroes, 95 percent. of their students are doing elementary and secondary work, work which should be done in the public schools. Over half the remaining 2,157 students



are taking high school studies. The mass of so-called "normal" schools for the Negro, are simply doing elementary common school work, or, at most, high school work, with a little instruction in methods. The Negro colleges and the post-graduate courses at other institutions are the only agencies for the broader and more careful training of teachers. The work of these institutions is hampered for lack of funds. It is getting increasingly difficult to get funds for training teachers in the best modern methods, and yet all over the South, from State Superintendents, county officials, city boards and school principals comes the wail, "We need TEACHERS!" and teachers must be trained. As the fairest minded of all white Southerners, Atticus G. Haygood, once said: "The defects of colored teachers are so great as to create an urgent necessity for training better ones. Their excellencies and their successes are sufficient to justify the best hopes of success in the effort, and to vindicate the judgment of those who make large investments of money and service, to give to colored students opportunity for thoroughly preparing themselves for the work of teaching children of their people."

The truth of this has been strikingly shown in the marked improvement of white teachers in the South. Twenty years ago the rank and file of white public school teachers were not as good as the Negro teachers. But they, by scholarships and good salaries, have been encouraged to thorough normal and collegiate preparation, while the Negro teachers have been

discouraged by starvation wages and the idea that any training will do for a black teacher. If carpenters are needed it is well and good to train men as carpenters. But to train men as carpenters, and then set them to teaching is wasteful and criminal; and to train men as teachers and then refuse them living wages, unless they become carpenters, is rank nonsense.

The United States Commissioner of Education says in his report for 1900: "For comparison between the white and colored enrollment in secondary and higher education, I have added together the enrollment in high schools and secondary schools, with the attendance on colleges and universities, not being sure of the actual grade of work done in the colleges and universities. The work done in the secondary schools is reported in such detail in this office, that there can be no doubt of its grade."

He then makes the following comparisons of persons in every million enrolled in secondary and higher education...

...And he concludes: "While the number in colored high schools and colleges had increased somewhat faster than the population, it had not kept pace with the average of the whole country, for it had fallen from 30 per cent. to 24 per cent. of the average quota. Of all colored pupils, one (1) in one hundred was engaged in secondary and higher work, and that ratio has continued substantially for the past twenty years. If the ratio of colored population in secondary and higher education is to be equal to the average for the whole

country, it must be increased to five times its present average." And if this be true of the secondary and higher education, it is safe to say that the Negro has not one-tenth his quota in college studies. How baseless, therefore, is the charge of too much training! We need Negro teachers for the Negro common schools, and we need first-class normal schools and colleges to train them. This is the work of higher Negro education and it must be done.

Further than this, after being provided with group leaders of civilization, and a foundation of intelligence in the public schools, the carpenter, in order to be a man, needs technical skill. This calls for trade schools. Now trade schools are not nearly such simple things as people once thought. The original idea was that the "Industrial" school was to furnish education, practically free, to those willing to work for it; it was to "do" things—i.e.: become a center of productive industry, it was to be partially, if not wholly, self-supporting, and it was to teach trades. Admirable as were some of the ideas underlying this scheme, the whole thing simply would not work in practice; it was found that if you were to use time and material to teach trades thoroughly, you could not at the same time keep the industries on a commercial basis and make them pay. Many schools started out to do this on a large scale and went into virtual bankruptcy. Moreover, it was found also that it was possible to teach a boy a trade mechanically, without giving him the full educative benefit of the process, and, vice versa, that there was a distinctive

educative value in teaching a boy to use his hands and eyes in carrying out certain physical processes, even though he did not actually learn a trade. It has happened, therefore, in the last decade, that a noticeable change has come over the industrial schools. In the first place the idea of commercially remunerative industry in a school is being pushed rapidly to the background. There are still schools with shops and farms that bring an income, and schools that use student labor partially for the erection of their buildings and the furnishing of equipment. It is coming to be seen, however, in the education of the Negro, as clearly as it has been seen in the education of the youths the world over, that it is the boy and not the material product, that is the true object of education. Consequently the object of the industrial school came to be the thorough training of boys regardless of the cost of the training, so long as it was thoroughly well done.

Even at this point, however, the difficulties were not surmounted. In the first place modern industry has taken great strides since the war, and the teaching of trades is no longer a simple matter. Machinery and long processes of work have greatly changed the work of the carpenter, the ironworker and the shoemaker. A really efficient workman must be to-day an intelligent man who has had good technical training in addition to thorough common school, and perhaps even higher training. To meet this situation the industrial schools began a further development; they established distinct Trade Schools for the thorough training

of better class artisans, and at the same time they sought to preserve for the purposes of general education, such of the simpler processes of elementary trade learning as were best suited therefor. In this differentiation of the Trade School and manual training, the best of the industrial schools simply followed the plain trend of the present educational epoch. A prominent educator tells us that, in Sweden, "In the beginning the economic conception was generally adopted, and everywhere manual training was looked upon as a means of preparing the children of the common people to earn their living. But gradually it came to be recognized that manual training has a more elevated purpose, and one, indeed, more useful in the deeper meaning of the term. It came to be considered as an educative process for the complete moral, physical and intellectual development of the child."

Thus, again, in the manning of trade schools and manual training schools we are thrown back upon the higher training as its source and chief support. There was a time when any aged and worn out carpenter could teach in a trade school. But not so to-day. Indeed the demand for college-bred men by a school like Tuskegee, ought to make Mr. Booker T. Washington the firmest friend of higher training. Here he has as helpers the son of a Negro senator, trained in Greek and the humanities, and graduated at Harvard; the son of a Negro congressman and lawyer, trained in Latin and mathematics, and graduated at Oberlin; he has as his wife, a woman who read Virgil and Homer in the same class room

with me; he has as college chaplain, a classical graduate of Atlanta University; as teacher of science, a graduate of Fisk; as teacher of history, a graduate of Smith,—indeed some thirty of his chief teachers are college graduates, and instead of studying French grammars in the midst of weeds, or buying pianos for dirty cabins, they are at Mr. Washington's right hand helping him in a noble work. And yet one of the effects of Mr. Washington's propaganda has been to throw doubt upon the expediency of such training for Negroes, as these persons have had.

Men of America, the problem is plain before you. Here is a race transplanted through the criminal foolishness of your fathers. Whether you like it or not the millions are here, and here they will remain. If you do not lift them up, they will pull you down. Education and work are the levers to uplift a people. Work alone will not do it unless inspired by the right ideals and guided by intelligence. Education must not simply teach work—it must teach Life. The Talented Tenth of the Negro race must be made leaders of thought and missionaries of culture among their people. No others can do this work and Negro colleges must train men for it. The Negro race, like all other races, is going to be saved by its exceptional men.

SECTION 4

Race and Sex during the Civil Rights Era

Letter from Birmingham Jail

By MARTIN LUTHER KING, JR.

April 16, 1963

MY DEAR FELLOW CLERGYMEN:

While confined here in the Birmingham city jail, I came across your recent statement calling my present activities "unwise and untimely." Seldom do I pause to answer criticism of my work and ideas. If I sought to answer all the criticisms that cross my desk, my secretaries would have little time for anything other than such correspondence in the

course of the day, and I would have no time for constructive work. But since I feel that you are men of genuine good will and that your criticisms are sincerely set forth, I want to try to answer your statements in what I hope will be patient and reasonable terms.

I think I should indicate why I am here In Birmingham, since you have been influenced by the view which argues against "outsiders coming in." I have the honor of serving as president of the Southern Christian Leadership Conference, an organization operating in every southern state, with headquarters in Atlanta, Georgia. We have some eighty-five affiliated organizations across the South, and one of them is the Alabama Christian Movement for Human Rights. Frequently we share staff, educational and financial resources with our affiliates. Several months ago the affiliate here in Birmingham asked us to be on call to engage in a nonviolent direct-action program if such were deemed necessary. We readily consented, and when the hour came we lived up to



our promise. So I, along with several members of my staff, am here because I was invited here I am here because I have organizational ties here.

But more basically, I am in Birmingham because injustice is here. Just as the prophets of the eighth century B.C. left their villages and carried their "thus saith the Lord" far beyond the boundaries of their home towns, and just as the Apostle Paul left his village of Tarsus and carried the gospel of Jesus Christ to the far corners of the Greco-Roman world, so am I. compelled to carry the gospel of freedom beyond my own home town. Like Paul, I must constantly respond to the Macedonian call for aid.

Moreover, I am cognizant of the interrelatedness of all communities and states. I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial "outside agitator" idea. Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds.

You deplore the demonstrations taking place In Birmingham. But your statement, I am sorry to say, fails to express a similar concern for the conditions that brought about the demonstrations. I am sure that none of you would want to rest content with the superficial kind of social analysis that

deals merely with effects and does not grapple with underlying causes. It is unfortunate that demonstrations are taking place in Birmingham, but it is even more unfortunate that the city's white power structure left the Negro community with no alternative.

In any nonviolent campaign there are four basic steps: collection of the facts to determine whether injustices exist; negotiation; self-purification; and direct action. We have gone through an these steps in Birmingham. There can be no gainsaying the fact that racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of brutality is widely known. Negroes have experienced grossly unjust treatment in the courts. There have been more unsolved bombings of Negro homes and churches in Birmingham than in any other city in the nation. These are the hard, brutal facts of the case. On the basis of these conditions, Negro leaders sought to negotiate with the city fathers. But the latter consistently refused to engage in good-faith negotiation.

Then, last September, came the opportunity to talk with leaders of Birmingham's economic community. In the course of the negotiations, certain promises were made by the merchants — for example, to remove the stores humiliating racial signs. On the basis of these promises, the Reverend Fred Shuttlesworth and the leaders of the Alabama Christian Movement for Human Rights agreed to a moratorium on all

demonstrations. As the weeks and months went by, we realized that we were the victims of a broken promise. A few signs, briefly removed, returned; the others remained.

As in so many past experiences, our hopes had been blasted, and the shadow of deep disappointment settled upon us. We had no alternative except to prepare for direct action, whereby we would present our very bodies as a means of laying our case before the conscience of the local and the national community. Mindful of the difficulties involved, we decided to undertake a process of self-purification. We began a series of workshops on nonviolence, and we repeatedly asked ourselves : "Are you able to accept blows without retaliating?" "Are you able to endure the ordeal of jail?" We decided to schedule our direct-action program for the Easter season, realizing that except for Christmas, this is the main shopping period of the year. Knowing that a strong economic withdrawal program would be the by-product of direct action, we felt that this would be the best time to bring pressure to bear on the merchants for the needed change.

Then it occurred to us that Birmingham's mayoralty election was coming up in March, and we speedily decided to postpone action until after election day. When we discovered that the Commissioner of Public Safety, Eugene "Bull" Connor, had piled up enough votes to be in the run-oat we decided again to postpone action until the day after the run-off so that the demonstrations could not be used to cloud the issues. Like many others, we waited to see Mr. Connor

defeated, and to this end we endured postponement after postponement. Having aided in this community need, we felt that our direct-action program could be delayed no longer.

You may well ask: "Why direct action? Why sit-ins, marches and so forth? Isn't negotiation a better path?" You are quite right in calling, for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. My citing the creation of tension as part of the work of the nonviolent-resister may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly opposed violent tension, but there is a type of constructive, nonviolent tension which is necessary for growth. Just as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half-truths to the unfettered realm of creative analysis and objective appraisal, we must we see the need for nonviolent gadflies to create the kind of tension in society that will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood.

The purpose of our direct-action program is to create a situation so crisis-packed that it will inevitably open the door to negotiation. I therefore concur with you in your call for negotiation. Too long has our beloved Southland been

bogged down in a tragic effort to live in monologue rather than dialogue.

One of the basic points in your statement is that the action that I and my associates have taken in Birmingham is untimely. Some have asked: "Why didn't you give the new city administration time to act?" The only answer that I can give to this query is that the new Birmingham administration must be prodded about as much as the outgoing one, before it will act. We are sadly mistaken if we feel that the election of Albert Boutwell as mayor will bring the millennium to Birmingham. While Mr. Boutwell is a much more gentle person than Mr. Connor, they are both segregationists, dedicated to maintenance of the status quo. I have hope that Mr. Boutwell will be reasonable enough to see the futility of massive resistance to desegregation. But he will not see this without pressure from devotees of civil rights. My friends, I must say to you that we have not made a single gain civil rights without determined legal and nonviolent pressure. Lamentably, it is an historical fact that privileged groups seldom give up their privileges voluntarily. Individuals may see the moral light and voluntarily give up their unjust posture; but, as Reinhold Niebuhr has reminded us, groups tend to be more immoral than individuals.

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct-action campaign that was "well timed" in the view of those

who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has almost always meant 'Never.' We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."

We have waited for more than 340 years for our constitutional and God-given rights. The nations of Asia and Africa are moving with jetlike speed toward gaining political independence, but we stiff creep at horse-and-buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps it is easy for those who have never felt the stinging dark of segregation to say, "Wait." But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate-filled policemen curse, kick and even kill your black brothers and sisters; when you see the vast majority of your twenty million Negro brothers smothering in an airtight cage of poverty in the midst of an affluent society; when you suddenly find your tongue twisted and your speech stammering as you seek to explain to your six-year-old daughter why she can't go to the public amusement park that has just been advertised on television, and see tears welling up in her eyes when she is told that Funtown is closed to colored children, and see ominous clouds of inferiority beginning to form in her little mental sky, and see her beginning to distort her personality by developing an unconscious bitterness toward white

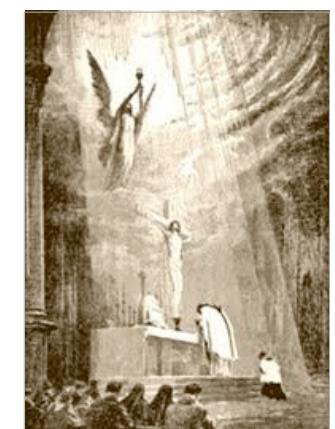
people; when you have to concoct an answer for a five-year-old son who is asking: "Daddy, why do white people treat colored people so mean?"; when you take a cross-county drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you; when you are humiliated day in and day out by nagging signs reading "white" and "colored"; when your first name becomes "nigger," your middle name becomes "boy" (however old you are) and your last name becomes "John," and your wife and mother are never given the respected title "Mrs."; when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tiptoe stance, never quite knowing what to expect next, and are plagued with inner fears and outer resentments; when you no forever fighting a degenerating sense of "nobodiness" then you will understand why we find it difficult to wait. There comes a time when the cup of endurance runs over, and men are no longer willing to be plunged into the abyss of despair. I hope, sirs, you can understand our legitimate and unavoidable impatience.

You express a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, at first glance it may seem rather paradoxical for us consciously to break laws. One may wonder ask: "How can you advocate breaking some laws and obeying others?" The

answer lies in the fact that there are two types of laws: just and unjust. I would be the Brat to advocate obeying just laws. One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that "an unjust law is no law at all"



Now, what is the difference between the two? How does one determine whether a law is just or unjust? A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Segregation, to use the terminology of the Jewish philosopher Martin Buber,



substitutes an “I-it” relationship for an “I-thou” relationship and ends up relegating persons to the status of things. Hence segregation is not only politically, economically and sociologically unsound, it is morally wrong and awful. Paul Tillich said that sin is separation. Is not segregation an existential expression –of man’s tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.

Let us consider a more concrete example of just and unjust laws. An unjust law is a code that a numerical or power majority group compels a minority group to obey but does not make binding on itself. This is difference made legal. By the same token, a just law is a code that a majority compels a minority to follow and that it is willing to follow itself. This is sameness made legal.

Let me give another explanation. A law is unjust if it is inflicted on a minority that, as a result of being denied the right to vote, had no part in enacting or devising the law. Who can say that the legislature of Alabama which set up that state’s segregation laws was democratically elected? Throughout Alabama all sorts of devious methods are used to prevent Negroes from becoming registered voters, and there are some counties in which, even though Negroes constitute a majority of the population, not a single Negro is registered.

Can any law enacted under such circumstances be considered democratically structured?

Sometimes a law is just on its face and unjust in its application. For instance, I have been arrested on a charge of parading without a permit. Now, there is nothing wrong in having an ordinance which requires a permit for a parade. But such an ordinance becomes unjust when it is used to maintain segregation and to deny citizens the First Amendment privilege of peaceful assembly and protest.

I hope you are able to ace the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Of course, there is nothing new about this kind of civil disobedience. It was evidenced sublimely in the refusal of Shadrach, Meshach and Abednego to obey the laws of Nebuchadnezzar, on the ground that a higher moral law was at stake. It was practiced superbly by the early Christians, who were willing to face hungry lions and the excruciating pain of chopping blocks rather than submit to certain unjust laws of the Roman Empire. To a degree, academic freedom is a reality today because Socrates practiced civil disobedience.

In our own nation, the Boston Tea Party represented a massive act of civil disobedience.

We should never forget that everything Adolf Hitler did in Germany was “legal” and everything the Hungarian freedom fighters did in Hungary was “illegal.” It was “illegal” to aid and comfort a Jew in Hitler’s Germany. Even so, I am sure that, had I lived in German at the time, I would have aided and comforted my Jewish brothers. If today I lived in a Communist country where certain principles dear to the Christian faith are suppressed, I would openly advocate disobeying that country’s antireligious laws.

I must make two honest confessions to you, my Christian and Jewish brothers. First, I must confess that over the past few years I have been gravely disappointed with the white moderate. I have almost reached the regrettable conclusion that the Negro’s great stumbling block in his stride toward freedom is not the White Citizen’s Counciler or the Ku Klux Klanner, but the white moderate, who is more devoted to “order” than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says: “I agree with you in the goal you seek, but I cannot agree with your methods of direct action”; who paternalistically believes he can set the timetable for another man’s freedom; who lives by a mythical concept of time and who constantly advises the Negro to wait for a “more convenient season.” Shallow understanding from people of good will is more frustrating than absolute

misunderstanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection.

I had hoped that the white moderate would understand that law and order exist for the purpose of establishing justice and that when they fan in this purpose they become the dangerously structured dams that block the flow of social progress. I had hoped that the white moderate would understand that the present tension in the South is a necessary phase of the transition from an obnoxious negative peace, in which the Negro passively accepted his unjust plight, to a substantive and positive peace, in which all men will respect the dignity and worth of human personality. Actually, we who engage in nonviolent direct action are not the creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open, where it can be seen and dealt with. Like a boil that can never be cured so long as it is covered up but must be opened with an its ugliness to the natural medicines of air and light, injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured.

In your statement you assert that our actions, even though peaceful, must be condemned because they precipitate violence. But is this a logical assertion? Isn’t this like condemning a robbed man because his possession of money precipitated the evil act of robbery? Isn’t this like condemning Socrates because his unswerving commitment to

truth and his philosophical inquiries precipitated the act by the misguided populace in which they made him drink hemlock? Isn't this like condemning Jesus because his unique God-consciousness and never-ceasing devotion to God's will precipitated the evil act of crucifixion? We must come to see that, as the federal courts have consistently affirmed, it is wrong to urge an individual to cease his efforts to gain his basic constitutional rights because the quest may precipitate violence. Society must protect the robbed and punish the robber.

I had also hoped that the white moderate would reject the myth concerning time in relation to the struggle for freedom. I have just received a letter from a white brother in Texas. He writes: "An Christians know that the colored people will receive equal rights eventually, but it is possible that you are in too great a religious hurry. It has taken Christianity almost two thousand years to accomplish what it has. The teachings of Christ take time to come to earth." Such an attitude stems from a tragic misconception of time, from the strangely rational notion that there is something in the very flow of time that will inevitably cure all ills. Actually, time itself is neutral; it can be used either destructively or constructively. More and more I feel that the people of ill will have used time much more effectively than have the people of good will. We will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people. Human progress never

rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be co-workers with God, and without this 'hard work, time itself becomes an ally of the forces of social stagnation. We must use time creatively, in the knowledge that the time is always ripe to do right. Now is the time to make real the promise of democracy and transform our pending national elegy into a creative psalm of brotherhood. Now is the time to lift our national policy from the quicksand of racial injustice to 6e solid rock of human dignity.

You speak of our activity in Birmingham as extreme. At fist I was rather disappointed that fellow clergymen would see my nonviolent efforts as those of an extremist. I began thinking about the fact that stand in the middle of two opposing forces in the Negro community. One is a force of complacency, made up in part of Negroes who, as a result of long years of oppression, are so drained of self-respect and a sense of "somebodiness" that they have adjusted to segregation; and in part of a few middle class Negroes who, because of a degree of academic and economic security and because in some ways they profit by segregation, have become insensitive to the problems of the masses. The other force is one of bitterness and hatred, and it comes perilously close to advocating violence. It is expressed in the various black nationalist groups that are springing up across the nation, the largest and best-known being Elijah Muhammad's Muslim movement. Nourished by the Negro's frustration over the

continued existence of racial discrimination, this movement is made up of people who have lost faith in America, who have absolutely repudiated Christianity, and who have concluded that the white man is an incorrigible "devil."

I have tried to stand between these two forces, saying that we need emulate neither the "do-nothingism" of the complacent nor the hatred and despair of the black nationalist. For there is the more excellent way of love and nonviolent protest. I am grateful to God that, through the influence of the Negro church, the way of nonviolence became an integral part of our struggle.

If this philosophy had not emerged, by now many streets of the South would, I am convinced, be flowing with blood. And I am further convinced that if our white brothers dismiss as "rabble-rousers" and "outside agitators" those of us who employ nonviolent direct action, and if they refuse to support our nonviolent efforts, millions of Negroes will, out of frustration and despair, seek solace and security in black-nationalist ideologies a development that would inevitably lead to a frightening racial nightmare.

Oppressed people cannot remain oppressed forever. The yearning for freedom eventually manifests itself, and that is what has happened to the American Negro. Something within has reminded him of his birthright of freedom, and something without has reminded him that it can be gained. Consciously or unconsciously, he has been caught up by the Zeitgeist, and with his black brothers of Africa and his

brown and yellow brothers of Asia, South America and the Caribbean, the United States Negro is moving with a sense of great urgency toward the promised land of racial justice. If one recognizes this vital urge that has engulfed the Negro community, one should readily understand why public demonstrations are taking place. The Negro has many pent-up resentments and latent frustrations, and he must release them. So let him march; let him make prayer pilgrimages to the city hall; let him go on freedom rides-and try to understand why he must do so. If his repressed emotions are not released in nonviolent ways, they will seek expression through violence; this is not a threat but a fact of history. So I have not said to my people: "Get rid of your discontent." Rather, I have tried to say that this normal and healthy discontent can be channeled into the creative outlet of nonviolent direct action. And now this approach is being termed extremist.

But though I was initially disappointed at being categorized as an extremist, as I continued to think about the matter I gradually gained a measure of satisfaction from the label. Was not Jesus an extremist for love: "Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you." Was not Amos an extremist for justice: "Let justice roll down like waters and righteousness like an ever-flowing stream." Was not Paul an extremist for the Christian gospel: "I bear in my body the marks of the Lord Jesus." Was not

Martin Luther an extremist: "Here I stand; I cannot do otherwise, so help me God." And John Bunyan: "I will stay in jail to the end of my days before I make a butchery of my conscience." And Abraham Lincoln: "This nation cannot survive half slave and half free." And Thomas Jefferson: "We hold these truths to be self-evident, that all men are created equal ..." So the question is not whether we will be extremists, but what kind of extremists we will be. Will we be extremists for hate or for love? Will we be extremists for the preservation of injustice or for the extension of justice? In that dramatic scene on Calvary's hill three men were crucified. We must never forget that all three were crucified for the same crime—the crime of extremism. Two were extremists for immorality, and thus fell below their environment. The other, Jesus Christ, was an extremist for love, truth and goodness, and thereby rose above his environment. Perhaps the South, the nation and the world are in dire need of creative extremists.

I had hoped that the white moderate would see this need. Perhaps I was too optimistic; perhaps I expected too much. I suppose I should have realized that few members of the oppressor race can understand the deep groans and passionate yearnings of the oppressed race, and still fewer have the vision to see that injustice must be rooted out by strong, persistent and determined action. I am thankful, however, that some of our white brothers in the South have grasped the meaning of this social revolution and committed

themselves to it. They are still too few in quantity, but they are big in quality. Some—such as Ralph McGill, Lillian Smith, Harry Golden, James McBride Dabbs, Ann Braden and Sarah Patton Boyle—have written about our struggle in eloquent and prophetic terms. Others have marched with us down nameless streets of the South. They have languished in filthy, roach-infested jails, suffering the abuse and brutality of policemen who view them as "dirty nigger lovers." Unlike so many of their moderate brothers and sisters, they have recognized the urgency of the moment and sensed the need for powerful "action" antidotes to combat the disease of segregation.

Let me take note of my other major disappointment. I have been so greatly disappointed with the white church and its leadership. Of course, there are some notable exceptions. I am not unmindful of the fact that each of you has taken some significant stands on this issue. I commend you, Reverend Stallings, for your Christian stand on this past Sunday, in welcoming Negroes to your worship service on a non segregated basis. I commend the Catholic leaders of this state for integrating Spring Hill College several years ago.

But despite these notable exceptions, I must honestly reiterate that I have been disappointed with the church. I do not say this as one of those negative critics who can always find something wrong with the church. I say this as a minister of the gospel, who loves the church; who was nurtured in its bosom; who has been sustained by its

spiritual blessings and who will remain true to it as long as the cord of Rio shall lengthen.

When I was suddenly catapulted into the leadership of the bus protest in Montgomery, Alabama, a few years ago, I felt we would be supported by the white church. I felt that the white ministers, priests and rabbis of the South would be among our strongest allies. Instead, some have been outright opponents, refusing to understand the freedom movement and misrepresenting its leader era; an too many others have been more cautious than courageous and have remained silent behind the anesthetizing security of stained-glass windows.

In spite of my shattered dreams, I came to Birmingham with the hope that the white religious leadership of this community would see the justice of our cause and, with deep moral concern, would serve as the channel through which our just grievances could reach the power structure. I had hoped that each of you would understand. But again I have been disappointed.

I have heard numerous southern religious leaders admonish their worshipers to comply with a desegregation decision because it is the law, but I have longed to hear white ministers declare: "Follow this decree because integration is morally right and because the Negro is your brother." In the midst of blatant injustices inflicted upon the Negro, I have watched white churchmen stand on the sideline and mouth pious irrelevancies and sanctimonious trivialities. In the

midst of a mighty struggle to rid our nation of racial and economic injustice, I have heard many ministers say: "Those are social issues, with which the gospel has no real concern." And I have watched many churches commit themselves to a completely other worldly religion which makes a strange, on Biblical distinction between body and soul, between the sacred and the secular.

I have traveled the length and breadth of Alabama, Mississippi and all the other southern states. On sweltering summer days and crisp autumn mornings I have looked at the South's beautiful churches with their lofty spires pointing heavenward. I have beheld the impressive outlines of her massive religious-education buildings. Over and over I have found myself asking: "What kind of people worship here? Who is their God? Where were their voices when the lips of Governor Barnett dripped with words of interposition and nullification? Where were they when Governor Walleye gave a clarion call for defiance and hatred? Where were their voices of support when bruised and weary Negro men and women decided to rise from the dark dungeons of complacency to the bright hills of creative protest?"

Yes, these questions are still in my mind. In deep disappointment I have wept over the laxity of the church. But be assured that my tears have been tears of love. There can be no deep disappointment where there is not deep love. Yes, I love the church. How could I do otherwise? I am in the rather unique position of being the son, the grandson and

the great-grandson of preachers. Yes, I see the church as the body of Christ. But, oh! How we have blemished and scarred that body through social neglect and through fear of being nonconformists.

There was a time when the church was very powerful in the time when the early Christians rejoiced at being deemed worthy to suffer for what they believed. In those days the church was not merely a thermometer that recorded the ideas and principles of popular opinion; it was a thermostat that transformed the mores of society. Whenever the early Christians entered a town, the people in power became disturbed and immediately sought to convict the Christians for being "disturbers of the peace" and "outside agitators." But the Christians pressed on, in the conviction that they were "a colony of heaven," called to obey God rather than man. Small in number, they were big in commitment. They were too God intoxicated to be "astronomically intimidated." By their effort and example they brought an end to such ancient evils as infanticide. and gladiatorial contests.

Things are different now. So often the contemporary church is a weak, ineffectual voice with an uncertain sound. So often it is an archdefender of the status quo. Far from being disturbed by the presence of the church, the power structure of the average community is consoled by the church's silent and often even vocal sanction of things as they are.

But the judgment of God is upon the church as never before. If today's church does not recapture the sacrificial spirit of

the early church, it will lose its authenticity, forfeit the loyalty of millions, and be dismissed as an irrelevant social club with no meaning for the twentieth century. Every day I meet young people whose disappointment with the church has turned into outright disgust.

Perhaps I have once again been too optimistic. Is organized religion too inextricably bound to the status quo to save our nation and the world? Perhaps I must turn my faith to the inner spiritual church, the church within the church, as the true ekklesia and the hope of the world. But again I am thankful to God that some noble souls from the ranks of organized religion have broken loose from the paralyzing chains of conformity and joined us as active partners in the struggle for freedom. They have left their secure congregations and walked the streets of Albany, Georgia, with us. They have gone down the highways of the South on tortuous rides for freedom. Yes, they have gone to jail with us. Some have been dismissed from their churches, have lost the support of their bishops and fellow ministers. But they have acted in the faith that right defeated is stronger than evil triumphant. Their witness has been the spiritual salt that has preserved the true meaning of the gospel in these troubled times. They have carved a tunnel of hope through the dark mountain of disappointment.

I hope the church as a whole will meet the challenge of this decisive hour. But even if the church does not come to the aid of justice, I have no despair about the future. I have no

fear about the outcome of our struggle in Birmingham, even if our motives are at present misunderstood. We will reach the goal of freedom in Birmingham, ham and all over the nation, because the goal of America k freedom. Abused and scorned though we may be, our destiny is tied up with America's destiny. Before the pilgrims landed at Plymouth, we were here. Before the pen of Jefferson etched the majestic words of the Declaration of Independence across the pages of history, we were here. For more than two centuries our forebears labored in this country without wages; they made cotton king; they built the homes of their masters while suffering gross injustice and shameful humiliation-and yet out of a bottomless vitality they continued to thrive and develop. If the inexpressible cruelties of slavery could not stop us, the opposition we now face will surely fail. We will win our freedom because the sacred heritage of our nation and the eternal will of God are embodied in our echoing demands.

Before closing I feel impelled to mention one other point in your statement that has troubled me profoundly. You warmly commended the Birmingham police force for keeping "order" and "preventing violence." I doubt that you would have so warmly commended the police force if you had seen its dogs sinking their teeth into unarmed, nonviolent Negroes. I doubt that you would so quickly commend the policemen if .you were to observe their ugly and inhumane treatment of Negroes here in the city jail; if you were to watch them push

and curse old Negro women and young Negro girls; if you were to see them slap and kick old Negro men and young boys; if you were to observe them, as they did on two occasions, refuse to give us food because we wanted to sing our grace together. I cannot join you in your praise of the Birmingham police department.

It is true that the police have exercised a degree of discipline in handing the demonstrators. In this sense they have conducted themselves rather "nonviolently" in public. But for what purpose? To preserve the evil system of segregation. Over the past few years I have consistently preached that nonviolence demands that the means we use must be as pure as the ends we seek. I have tried to make clear that it is wrong to use immoral means to attain moral ends. But now I must affirm that it is just as wrong, or perhaps even more so, to use moral means to preserve immoral ends. Perhaps Mr. Connor and his policemen have been rather nonviolent in public, as was Chief Pritchett in Albany, Georgia but they have used the moral means of nonviolence to maintain the immoral end of racial injustice. As T. S. Eliot has said: "The last temptation is the greatest treason: To do the right deed for the wrong reason."

I wish you had commended the Negro sit-inners and demonstrators of Birmingham for their sublime courage, their willingness to suffer and their amazing discipline in the midst of great provocation. One day the South will recognize its real heroes. They will be the James Merediths, with the

noble sense of purpose that enables them to face Jeering, and hostile mobs, and with the agonizing loneliness that characterizes the life of the pioneer. They will be old, oppressed, battered Negro women, symbolized in a seventy-two-year-old woman in Montgomery, Alabama, who rose up with a sense of dignity and with her people decided not to ride segregated buses, and who responded with ungrammatical profundity to one who inquired about her weariness: "My fleets is tired, but my soul is at rest." They will be the young high school and college students, the young ministers of the gospel and a host of their elders, courageously and nonviolently sitting in at lunch counters and willingly going to jail for conscience' sake. One day the South will know that when these disinherited children of God sat down at lunch counters, they were in reality standing up for what is best in the American dream and for the most sacred values in our Judaeo-Christian heritage, thereby bringing our nation back to those great wells of democracy which were dug deep by the founding fathers in their formulation of the Constitution and the Declaration of Independence.

Never before have I written so long a letter. I'm afraid it is much too long to take your precious time. I can assure you that it would have been much shorter if I had been writing from a comfortable desk, but what else can one do when he is alone in a narrow jail cell, other than write long letters, think long thoughts and pray long prayers?

If I have said anything in this letter that overstates the truth and indicates an unreasonable impatience, I beg you to forgive me. If I have said anything that understates the truth and indicates my having a patience that allows me to settle for anything less than brotherhood, I beg God to forgive me.

I hope this letter finds you strong in the faith. I also hope that circumstances will soon make it possible for me to meet each of you, not as an integrationist or a civil rights leader but as a fellow clergyman and a Christian brother. Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear-drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.

Yours for the cause of Peace and Brotherhood,
MARTIN LUTHER KING, JR.

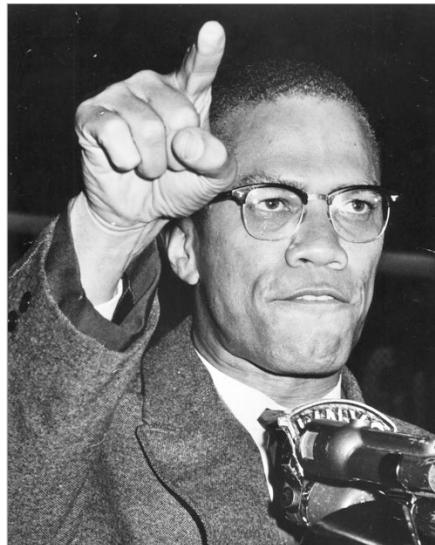
The Ballot or the Bullet

By MALCOLM X

Delivered 12 April, 1964 in Detroit (USA)

Mr. Moderator, Reverend Cleage, Brother Lomax, brothers and sisters, and friends and I see some enemies. In fact, I think we'd be fooling ourselves if we had an audience this large and didn't realize that there were some enemies present. This afternoon we want to talk about the ballot or the bullet. The ballot or the bullet explains itself. But before we get into it, since this is the year of the ballot or the bullet, I would like to clarify some things that refer to me personally - concerning my own personal position.

I'm still a Muslim. That is, my religion is still Islam. My religion is still Islam. I still credit Mr. Mohammed for what I know and what I am. He's the one who opened my eyes. At present, I'm the Minister of the newly founded Muslim Mosque, Inc., which has its offices in the Teresa Hotel, right in the heart of Harlem - that's the black belt in New York



city. And when we realize that Adam Clayton Powell is a Christian minister, he's the - he heads Abyssinian Baptist Church, but at the same time, he's more famous for his political struggling. And Dr. King is a Christian Minister, in Atlanta, Georgia, but he's become more famous for being involved in the civil rights struggle. There's another in New York, Reverend Galamison - I don't know if you've heard of him out here - he's a Christian Minister from Brooklyn, but has become famous for his fight against a segregated school system in Brooklyn. Reverend Cle, right here, is a Christian Minister, here in Detroit. He's the head of the "Freedom Now Party". All of these are Christian Ministers, but they don't come to us as Christian Ministers. They come to us as fighters in some other category. I'm a Muslim minister - the same as they are Christian Ministers - I'm a Muslim minister. And I don't believe in fighting today in any one front, but on all fronts. In fact, I'm a black Nationalist Freedom Fighter.

Islam is my religion, but I believe my religion is my personal business. It governs my personal life, my personal morals. And my religious philosophy is personal between me and the God in whom I believe; just as the religious philosophy of these others is between them and the God in whom they believe. And this is best this way. Were we to come out here discussing religion, we'd have too many differences from the outset and we could never get together. So today, though Islam is my religious philosophy, my political, economic, and social philosophy is Black Nationalism. You

and I - as I say, if we bring up religion we'll have differences; we'll have arguments; and we'll never be able to get together. But if we keep our religion at home, keep our religion in the closet, keep our religion between ourselves and our God, but when we come out here, we have a fight that's common to all of us against an enemy who is common to all of us.



The political philosophy of Black Nationalism only means that the black man should control the politics and the politicians in his own community. The time when white people can come in our community and get us to vote for them so that they can be our political leaders and tell us what to do and what not to do is long gone. By the same token, the time when that same white man, knowing that your eyes are too far open, can send another negro into the community and get you and me to support him so he can use him to lead us astray - those days are long gone too. The political philosophy of Black Nationalism only means that if you and I are going to live in a Black community - and that's where we're going to live, cause as soon as you move into one of their - soon as you move out of the Black community into their community, it's mixed for a period of time, but they're gone and you're right there all by yourself again. We must understand the politics of our community and we must know

what politics is supposed to produce. We must know what part politics play in our lives. And until we become politically mature we will always be mislead, lead astray, or deceived or maneuvered into supporting someone politically who doesn't have the good of our community at heart. So the political philosophy of Black Nationalism only means that we will have to carry on a program, a political program, of re-education to open our peoples eyes, make us become more politically conscious, politically mature, and then whenever we get ready to cast our ballot that ballot, will be cast for a man of the community who has the good of the community of heart. The economic philosophy of Black Nationalism only means that we should own and operate and control the economy of our community. You would never found - you can't open up a black store in a white community. White men won't even patronize you. And he's not wrong. He's got sense enough to look out for himself. You the one who don't have sense enough to look out for yourself.

The white man is too intelligent to let someone else come and gain control of the economy of his community. But you will let anyone come in and take control of the economy of your community, control the housing, control the education, control the jobs, control the businesses, under the pre-text that you want to integrate. No, you outta your mind. The political, the economic philosophy of Black Nationalism only means that we have to become involved in a program of re-education to educate our people into the importance of

knowing that when you spend your dollar out of the community in which you live, the community in which you spend your money becomes richer and richer; the community out of which you take your money becomes poorer and poorer. And because these Negroes, who have been mislead, misguided, are breaking their necks to take their money and spend it with The Man, The Man is becoming richer and richer, and you're becoming poorer and poorer. And then what happens? The community in which you live becomes a slum. It becomes a ghetto. The conditions become run down. And then you have the audacity to complain about poor housing in a run-down community. Why you run it down yourself when you take your dollar out. And you and I are in the double-track, because not only do we lose by taking our money someplace else and spending it, when we try and spend it in our own community we're trapped because we haven't had sense enough to set up stores and control the businesses of our own community. The man who's controlling the stores in our community is a man who doesn't look like we do. He's a man who doesn't even live in the community. So you and I, even when we try to spend our money in the block where we live or the area where we live, we're spending it with a man who, when the sun goes down, takes that basket full of money in another part of the town. So we're trapped, trapped, double-trapped, triple-trapped. Anywhere we go we find that we're trapped. And every kind of solution that someone comes up with is just another trap.

But the political and economic philosophy of Black Nationalism - the economic philosophy of Black Nationalism shows our people the importance of setting up these little stores and developing them and expanding them into larger operations. Woolworth didn't start out big like they are today. They started out with a dime store and expanded and expanded and then expanded until today, they're all over the country and all over the world, and they get to so much of everybody's money. Now this is what you and I - General Motors is same way. They didn't start out like they are. It started out just a little rat race type operation. And it expanded and it expanded until today where it is right now. And you and I have to make a start and the best place to start is right in the community where we live. So our people not only have to be re-educated to the importance of supporting black business, but the black man himself has to be made aware of the importance of going into business. And once you and I go into business, we own and operate at least the businesses in our community. What we will be doing is developing a situation wherein we will actually be able to create employment for the people in the community. And once you can create some employment in the community where you live it will eliminate the necessity of you and me having to act ignorantly and disgracefully, boycotting and picketing some place else trying to beg him for a job. Anytime you have to rely upon your enemy for a job - you're in bad shape. When you have - he is your enemy. Let

me tell you, you wouldn't be in this country if some enemy hadn't kidnapped you and brought you here.

On the other hand, some of you think you came here on the Mayflower. So as you can see brothers and sisters this afternoon, it is not our intention to discuss religion. We're going to forget religion. If we bring up religion, we'll be in an argument, and the best way to keep away from arguments and differences - as I said earlier - put your religion at home - in the closet. Keep it between you and your God. Because if it hasn't done anything more for you than it has, you need to forget it anyway. Whether you are a Christian, or a Muslim, or a Nationalist, we all have the same problem. They don't hang you because you're a Baptist; they hang you 'cause you're black. They don't attack me because I'm a Muslim; they attack me 'cause I'm black. They attack all of us for the same reason; all of us catch hell from the same enemy. We're all in the same bag, in the same boat. We suffer political oppression, economic exploitation, and social degradation - all of them from the same enemy. The government has failed us; you can't deny that. Anytime you live in the twentieth century, 1964, and you walkin' around here singing "We Shall Overcome," the government has failed us. This is part of what's wrong with you do too much singing. Today it's time to stop singing and start swinging. You can't sing up on freedom, but you can swing up on some freedom. Cassius Clay can sing, but singing didn't help him to become the heavy-weight champion of the world – swinging helped him

become the heavy-weight champion. This government has failed us; the government itself has failed us, and the white liberals who have been posing as our friends have failed us. And once we see that all these other sources to which we've turned have fail-ed, we stop turning to them and turn to ourselves. We need a self-help program, a do-it-yourself philosophy, a do-it-right-now philosophy, a it's-already-too-late philosophy. This is what you and I need to get with, and the only way we are going to solve our problem is with a self-help program. Before we can get a self-help program started we have to have a self-help philosophy.

Black nationalism is a self-help philosophy. What's is so good about it? You can stay right in the church where you are and still take black nationalism as your philosophy. You can stay in any kind of civic organization that you belong to and still take black nationalism as your philosophy. You can be an atheist and still take black nationalism as your philosophy. This is a philosophy that eliminates the necessity for division and argument. 'Cause if you are black you should be thinking black, and if you are black and you not thinking black at this late date, well I'm sorry for you. Once you change your philosophy, you change your thought pattern. Once you change your thought pattern, you change your attitude. Once you change your attitude, it changes your behaviour pattern and then you go on into some action. As long as you gotta sit-down philosophy, you'll have a sit-down thought pattern, and as long as you think that old sit-down

thought you'll be in some kind of sit-down action. They'll have you sitting in everywhere. It's not so good to refer to what you're going to do as a sit-in. That right there castrates you. Right there it brings you down. What goes with it? Think of the image of someone sitting. An old woman can sit. An old man can sit. A chump can sit. A coward can sit. Anything can sit. Well you and I been sitting long enough, and it's time today for us to start doing some standing, and some fighting to back that up.

When we look like - at other parts of this earth upon which we live, we find that black, brown, red, and yellow people in Africa and Asia are getting their independence. They're not getting it by singing "We Shall Overcome." No, they're getting it through nationalism. It is nationalism that brought about the independence of the people in Asia. Every nation in Asia gained its independence through the philosophy of nationalism. Every nation on the African continent that has gotten its independence brought it about through the philosophy of nationalism. And it will take black nationalism - that to bring about the freedom of 22 million Afro-Americans here in this country where we have suffered colonialism for the past 400 years. America is just as much a colonial power as England ever was. America is just as much a colonial power as France ever was. In fact, America is more so a colonial power than they because she's a hypocritical colonial power behind it. What do you call second-class citizenship? Why, that's colonization. Second class

citizenship is nothing but 20th century slavery. How you gonna tell me you're a second class citizen. They don't have second class citizenship in any other government on this earth. They just have slaves and people who are free. Well, this country is a hypocrite. They try and make you think they set you free by calling you a second-class citizen. No, you're nothing but a 20th century slave. Just as it took nationalism to remove colonialism from Asia and Africa, it'll take black nationalism today to remove colonialism from the backs and the minds of 22 million Afro-Americans here in this country.

And 1964 looks like it might be the year of the ballot or the bullet. Why does it look like it might be the year of the ballot or the bullet? Because Negroes have listened to the trickery, and the lies, and the false promises of the white man now for too long. And they're fed up. They've become disenchanted. They've become disillusioned. They've become dissatisfied, and all of this has built up frustrations in the black community that makes the black community throughout America today more explosive than all of the atomic bombs the Russians can ever invent. Whenever you got a racial powder keg sitting in your lap, you're in more trouble than if you had an atomic powder keg sitting in your lap. When a racial powder keg goes off, it doesn't care who it knocks out the way. Understand this, it's dangerous. And in 1964 this seems to be the year, because what can the white man use now to fool us after he put down that march on Washington? And you see all through that now. He tricked you, had you

marching down to Washington. Yes, had you marching back and forth between the feet of a dead man named Lincoln and another dead man named George Washington singing "We Shall Overcome". He made a chump out of you. He made a fool out of you. He made you think you were going somewhere and you end up going nowhere but between Lincoln and Washington. So today, our people are disillusioned. They've become disenchanted. They've become dissatisfied, and in their frustrations they want action. And in 1964 you'll see this young black man, this new generation asking for the ballot or the bullet. That old Uncle Tom action is outdated. The young generation don't want to hear anything about the odds are against us. What do we care about odds?

When this country here was first being founded there were 13 colonies. The whites were colonized. They were fed up with this taxation without representation, so some of them stood up and said "liberty or death." Though I went to a white school over here in Mason, Michigan, the white man made the mistake of letting me read his history books. He made the mistake of teaching me that Patrick Henry was a patriot, and George Washington, wasn't nothing non-violent about old Pat or George Washington. Liberty or death was what brought about the freedom of whites in this country from the English. They didn't care about the odds. Why they faced the wrath of the entire British Empire. And in those days they used to say that the British Empire was so vast and

so powerful when the sun - the sun would never set on them. This is how big it was, yet these 13 little, scrawny states, tired of taxation without representation, tired of being exploited and oppressed and degraded, told that big British Empire "liberty or death". And here you have 22 million Afro-American black people today catching more hell than Patrick Henry ever saw. And I'm here to tell you in case you don't know it that you got a new generation of black people in this country who don't care anything whatsoever about odds. They don't want to hear you old Uncle Tom handkerchief heads talking about the odds. No. This is a new generation. If they're gonna draft these young black men and send them over to Korea or South Vietnam to face 800 million Chinese - if you're not afraid of those odds, you shouldn't be afraid of these odds.

Why is America, why does this loom to be such an explosive political year? Because this is the year of politics. This is the year when all of the white politicians are going to come into the Negro community. You never see them until election time. You can't find them until election time. They're going to come in with false promises, and as they make these false promises they're gonna feed our frustrations and this will only serve to make matters worse. I'm no politician. I'm not even a student of politics. I'm not a Republican, nor a Democrat, nor an American, and got sense enough to know it. I'm one of the 22 million black victims of the Democrats, one of the 22 million black victims of the Republicans, and

one of the 22 million black victims of Americanism. And when I speak, I don't speak as a Democrat, or a Republican, *nor an American*. I speak as a victim of America's so-called democracy. You and I have never seen democracy; all we've seen is hypocrisy. When we open our eyes today and look around America, we see America not through the eyes of someone who has enjoyed the fruits of Americanism, we see America through the eyes of someone who has been the victim of Americanism. We don't see any American dream; we've experienced only the American nightmare. We haven't benefited from America's democracy; we've only suffered from America's hypocrisy. And the generation that's coming up now can see it and are not afraid to say it. If you go to jail, so what? If you black, you were born in jail. If you black, you were born in jail, in the North as well as the South. Stop talking about the South. Long as you south of the Canadian border, you're south.

Don't call Governor Wallace a Dixie governor; Romney is a Dixie governor. 22 million black victims of Americanism are waking up and they're gaining a new political consciousness, becoming politically mature. And as they develop this political maturity, they're able to see the recent trends in these political elections. They see that the whites are so evenly divided that every time they vote the race is so close they have to go back and count the votes all over again. And that means that any block, any minority that has a block of votes that stick together is in a strategic position. Either way

you go, that's who gets it. You're in a position to determine who will go to the White House, and who will stay in the doghouse. You're the one who has that power. You can keep Johnson in Washington DC, or you can send him back to his Texas cotton patch. You're the one who sent Kennedy to Washington. You're the one who put the present Democratic Administration in Washington DC. The whites were evenly divided. It was the fact that you threw 80% of your votes behind the Democrats that put the Democrats in the White House. When you see this, you can see that the Negro vote is the key factor. And despite the fact that you are in a position to be the determining factor, what do you get out of it? The Democrats have been in Washington DC only because of the Negro vote. They've been down there four years, and there all other legislations they wanted to bring up they brought it up and gotten it out of the way, and now they bring up you. And now, they bring up you. You put them first, and they put you last 'cause you're a chump, a political chump. In Washington DC, in the House of Representatives there are 257 who are Democrats; only 177 are Republican. In the Senate there are 67 Democrats; only 33 are Republicans. The Party that you backed controls two-thirds of the House of Representatives and the Senate, and still they can't keep their promise to you, 'cause you're a chump. Anytime you throw your weight behind the political party that controls two-thirds of the government, and that Party can't keep the promise that it made to you during election time, and you're dumb enough to walk around

continuing to identify yourself with that Party, you're not only a chump, but you're a traitor to your race.

And what kind of alibi do they come up with? They try and pass the buck to the Dixiecrats. Now back during the days when you were blind, deaf, and dumb, ignorant, politically immature, naturally you went along with that. But today as your eyes come open, and you develop political maturity, you're able to see and think for yourself, and you can see that a Dixiecrat is nothing but a Democrat in disguise.

You look at the structure of the government that controls this country; it's controlled by 16 senatorial committees and 20 congressional committees. Of the 16 senatorial committees that run the government, 10 of them are in the hands of Southern segregationists. Of the 20 congressional committees that run the government, 12 of them are in the hands of Southern segregationists. And they're going to tell you and me that the South lost the war. You, today, are in the hands of a government of segregationists, racists, white supremacists who belong to the Democratic party, but disguise themselves as Dixiecrats. A Dixiecrat is nothing but a Democrat. Whoever runs the Democrats is also the father of the Dixiecrats, and the father of all of them is sitting in the White House. I say and I say it again: You got a President who's nothing but a Southern segregationist from the state of Texas. They'll lynch you in Texas as quickly as they'll lynch you in Mississippi. Only in Texas they lynch you with a Texas accent; in Mississippi they lynch you with a

Mississippi accent. And the first thing the cracker does when he comes in power, he takes all the Negro leaders and invites them for coffee to show that he's alright. And those Uncle Toms can't pass up the coffee. They come away from the coffee table telling you and me that this man is alright 'cause he's from the South, and since he's from the South he can deal with the South. Look at the logic that they're using. What about Eastland? He's from the South. Make him the President. He can - if Johnson is a good man from the 'cause he's from Texas, and being from Texas will enable him to deal with the South, Eastland can deal with the South better than Johnson. Oh, I say you've been misled. You been had. You been took.

I was in Washington a couple weeks ago while the Senators were filibustering, and I noticed in the back of the Senate a huge map, and on this map it showed the distribution of Negroes in America, and surprisingly the same Senators that were involved in the filibuster were from the states where there were the most Negroes. Why were they filibustering the civil rights legislation? Because the civil rights legislation is supposed to guarantee voting rights to Negroes in those states, and those senators from those states know that if the Negroes in those states can vote, those senators are down the drain. The Representatives of those states go down the drain. And in the Constitution of this country it has a stipulation wherein, whenever the rights, the voting rights, of people in a certain district are violated, then the Representative who's

from that particular district, according to the Constitution, is supposed to be expelled from the Congress. Now, if this particular aspect of the Constitution was enforced, why you wouldn't have a cracker in Washington DC. But what would happen when you expel the Dixiecrat, you're expelling the Democrat. When you destroy the power of the Dixiecrat, you're destroying the power of the Democratic Party. So how in the world can the Democratic Party in the South actually side with you in sincerity, when all of its power is based in the South? These Northern Democrats are in cahoots with the Southern Democrats. They're playing a giant con game, a political con game. You know how it goes. One of them comes to you and makes believe he's for you, and he's in cahoots with the other one that's not for you. Why? Because neither one of them is for you, but they got to make you go with one of them or the other. So this is a con game. And this is what they've been doing with you and me all these years. First thing Johnson got off the plane when he became President, he asked "Where's Dicky?" You know who "Dicky" is? Dicky is old Southern cracker Richard Russell. Look here, yes. Lyndon Johnson's best friend is the one who is the head, who's heading the forces that are filibustering civil rights legislation. You tell me how in the hell is he going to be

Johnson's best friend? How can Johnson be his friend, and your friend too? No, that man is too tricky. Especially if his friend is still old Dicky. Whenever the Negroes keep the

Democrats in power, they're keeping the Dixiecrats in power. Is this true? A vote for a Democrat is nothing but a vote for a Dixiecrat. I know you don't like me saying that, but I, I'm not the kind of person who come here to say what you like. I'm going to tell you the truth, whether you like it or not.

Up here, in the North you have the same thing. The Democratic party don't do it. They don't do it that way. They got a think that they call gerrymandering. They maneuver you out of power. Even though you vote, they fix it so you're voting for nobody; they've got you going and coming. In the South, they're outright political wolves. In the North, they're political foxes. A fox and a wolf are both canine, both belong to the dog family. Now you take your choice. You going to choose a Northern dog or a Southern dog? Because either dog you choose I guarantee you you'll still be in the dog house. This is why I say it's the ballot or the bullet. It's liberty or it's death. It's freedom for everybody or freedom for nobody. America today finds herself in a unique situation. Historically, revolutions are bloody. Oh, yes, they are. They haven't never had a blood-less revolution, or a non-violent revolution. That doesn't happen even in Hollywood. You don't have a revolution in which you love your enemy, and you don't have a revolution in which you are begging the system of exploitation to integrate you into it. Revolutions overturn systems. Revolutions destroy systems. A revolution is bloody, but America is in a unique position. She's the only

country in history in a position actually to become involved in a blood-less revolution. The Russian revolution was bloody, Chinese revolution was bloody, French revolution was bloody, Cuban revolution was bloody, and there was nothing more bloody than the American Revolution. But today this country can become involved in a revolution that won't take bloodshed. All she's got to do is give the black man in this country everything that's due him, everything.

I hope that the white man can see this, 'cause if he doesn't see it you're finished. If you don't see it you're going to become involved in some action in which you don't have a chance. And we don't care anything about your atomic bomb; it's useless because other countries have atomic bombs. When two or three different countries have atomic bombs, nobody can use them, so it means that the white man today is without a weapon. If you want some action, you gotta come on down to Earth. And there's more black people on Earth than there are white people on Earth.

I only got a couple more minutes. The white man can never win another war on the ground. His days of war, victory, his reign, his days of ground victory are over. Can I prove it? Yes. Take all the action that's going on this earth right now that he's involved in - tell me where he's winning. Nowhere. Why some rice farmers, some rice eaters ran him out of Korea. Yes, they ran him out of Korea. Rice eaters with nothing but gym shoes, and a rifle, and a bowl of rice took him and his tanks and his napalm, and all that other action

he's supposed to have and ran him across the Yalu. Why? 'Cause the day that he can win on the ground has passed. Up in French Indo-China those little peasants, rice growers took on the might of the French army and ran all the Frenchmen - you remember Dien Bien Phu. No.

The same thing happened in Algeria, in Africa, they didn't have anything but a rifle. The French had all these highly mechanized instruments of warfare, but they put some guerilla action on, and a white man can't fight a guerilla warfare. Guerilla action takes heart, takes nerve, and he doesn't have that. He's brave when he's got tanks. He's brave when he's got planes. He's brave when he's got bombs. He's brave when he's got a whole lot of company along with him, but you take that little man from Africa and Asia, turn him loose in the

woods with a blade - that's all he needs, all he needs is a blade - and when the sun goes down and it's dark, it's even-steven.

So it's the ballot or the bullet. Today our people can see that we're faced with a government conspiracy. This government has failed us. The senators who are filibustering concerning your and my rights, that's the government. Don't say it's Southern senators. This is the government; this is a government filibuster. It's not a segregationist filibuster. It's a government filibuster. Any kind of activity that takes place on the floor of the Congress or the Senate, it's the government. Any kind of dilly-dallying, that's the

government. Any kind of pussy-footing, that's the government. Any kind of act that's designed to delay or deprive you and me right now of getting full rights, that's the government that's responsible. And any time you find the government involved in a conspiracy to violate the citizenship or the civil rights of a people, then you are wasting your time going to that government expecting redress. Instead, you have to take that government to the World Court and accuse it of genocide and all of the other crimes that it is guilty of today.

So those of us whose political, and economic, and social philosophy is black nationalism have become involved in the civil rights struggle. We have injected ourselves into the civil rights struggle, and we intend to expand it from the level of civil rights to the level of human rights. As long as you're fighting on the level of civil rights, you're under Uncle Sam's jurisdiction. You're going to his court expecting him to correct the problem. He created the problem. He's the criminal. You don't take your case to the criminal; you take your criminal to court. When the government of South Africa began to trample upon the human rights of the people of South Africa, they were taken to the U.N. When the government of Portugal began to trample upon the rights of our brothers and sisters in Angola, it was taken before the U.N. Why even the white man took the Hungarian question to the U.N. And just this week Chief Justice Goldberg was crying over 3 million Jews in Russia about their human

rights, charging Russia with violating the U.N. charter because of its mistreatment of the human rights of Jews in Russia.

Now you tell me how can the plight of everybody on this earth reach the halls of the United Nations, and you have 22 million Afro-Americans whose choices are being bound, whose little girls are being murdered, whose leaders are being shot down in broad daylight. Now you tell me why the leaders of this struggle have never taken it before the United Nations. So our next move is to take the entire civil rights struggle problems into the United Nations, and let the world see that Uncle Sam is guilty of violating the human rights of 22 million Afro-Americans.

Uncle Sam still has the audacity or the nerve to stand up and represent himself as the leader of the free world. Not only is he a crook, he's a hypocrite. Here he is standing up in front of other people, Uncle Sam, with the blood of your and mine mothers and fathers on his hands, with the blood dripping down his jaws like a bloody-jawed wolf, and still got the nerve to point his finger at other countries. You can't even get civil rights legislation. And this man has got the nerve to stand up and talk about South Africa, or talk about Nazi Germany, or talk about Deutschland. Why? No more days like those. So, I say in my conclusion the only way we're going to solve it - we've got to unite in unity and harmony, and black nationalism is the key. How we gonna overcome the tendency to be at each others throats that always exists in

our neighbourhoods? And the reason this tendency exists, the strategy of the white man has always been divide and conquer. He keeps us divided in order to conquer us. He tells you I'm for separation and you for integration to keep us fighting with each other. No, I'm not for separation and you're not for integration. What you and I is for is freedom. Only you think that integration would get you freedom, I think separation would get me freedom. We both got the same objective, we just got different ways of getting at it.

So I studied this man, Billy Graham, who preaches white nationalism, that's what he preaches. I say that's what he preaches. The whole church structure in this country is white nationalism. You go inside a white church that's what they preaching is white nationalism. They got Jesus white, Mary white, God white, everybody white - that's white nationalism. So what he does the way he circumvents the jealousy and envy that he ordinarily would incur among the heads of the church, wherever he go into an area where the church already is you going into trouble, 'cause they got that thing what you call it - syndicated, they got a syndicate - just like the rest of the Racketeers have. I'm going to say what's on my mind 'cause the churches are, the preachers already proved to you that they got a syndicate.

And when you're out in the rackets, whenever you're getting in another man's territory, you know, they gang up on you. And that's the same way with you ran into the same thing. So how Billy Graham gets around that, instead of going into

somebody else's territory, like he going to start up a new church, he doesn't try to start a church. He just goes in preaching Christ. And he says everybody who believes in Him, wherever you go wherever you find him. So this helps all the churches and since it helps all the churches they don't mind fight him.

Well, we gonna do the same thing, only our gospel is black nationalism; his gospel is white nationalism; our gospel is black nationalism. And the gospel of black nationalism, as I told you, means you should control you own, the politics of your community, the economy of your community, and all of the society in which you live should be under your control. And once you feel that this philosophy will solve your problem, go join any church where that's preached. Don't join a church where white nationalism is preached. Now you can go to a Negro church and be exposed to white nationalism 'cause you are when you walk in a Negro church and a white Mary and some white angels - that Negro church is preaching white nationalism. But when you go to a church and you see the pastor of that church with a philosophy and a program that's designed to bring black people together and elevate black people - join that church. Join that church. If you see where the NAACP is preaching and practicing that which is designed to make black nationalism materialize, join the NAACP. Join any kind of organization, civic, religious, fraternal, political, or otherwise

that's based on lifting the black man up and making him master of his own community.

It'll be the ballot or it'll be the bullet. It'll be liberty or it'll be death. And if you're not ready to pay that price don't use the word freedom in your vocabulary.

One more thing: I was on a program in Illinois recently with Senator Paul Douglas, a so-called liberal, so-called Democrat, so-called white man, at which time he told me that our African brothers were not interested in us in Africa.



He said the Africans are not interested in the American Negro. I knew he was lying, but during the next two or three

weeks it's my intention and plan to make a tour of our African homeland. And I hope that when I come back, I'll be able to come back and let you know how our African brothers and sisters feel toward us. And I know before I go there that they love us. We're one; we're the same; the same man who has colonized them all these years, colonized you and me too all these years. And all we have to do now is wake up and work in unity and harmony and the battle will be over. I want to thank the Freedom Now Party and the goal. I want to thank Milton and Richard Henley for inviting me here this afternoon, and also Reverend Cleage. And I want them to know that anything that I can ever do, at any time, to work with anybody in any kind of program that is sincerely designed to eliminate the political, the economic, and the social evils that confront all of our people, in Detroit and elsewhere, all they got to do is give me a telephone call and I'll be on the next jet right on into the city.

The Feminine Mystique

By BETTY FRIEDAN

The problem lay buried, unspoken, for many years in the minds of American women. It was a strange stirring, a sense of dissatisfaction, a yearning that women suffered in the middle of the twentieth century in the United States. Each suburban wife struggled with it alone. As she made the beds, shopped for groceries, matched slipcover material, ate peanut butter sandwiches with her children, chauffeured Cub Scouts and Brownies, lay beside her husband at night — she was afraid to ask even of herself the silent question — "Is this all?"

For over fifteen years there was no word of this yearning in the millions of words written about women, for women, in all the columns, books and articles by experts telling women their role was to seek fulfillment as wives and mothers. Over and over women heard in voices of tradition and of Freudian sophistication that they could desire no greater destiny than to glory in their own femininity. Experts told them how to catch a man and keep him, how to breastfeed children and handle their toilet training, how to cope with sibling rivalry and adolescent rebellion; how to buy a

dishwasher, bake bread, cook gourmet snails, and build a swimming pool with their own hands; how to dress, look, and act more feminine and make marriage more exciting; how to keep their husbands from dying young and their sons from growing into delinquents.

In the fifteen years after World War II, this mystique of feminine fulfillment became the cherished and self-perpetuating core of contemporary American culture. Millions of women lived their lives in the image of those pretty pictures of the American suburban housewife, kissing their husbands goodbye in front of the picture window, depositing their stationwagonsful of children at school, and smiling as they ran the new electric waxter over the spotless kitchen floor. They baked their own bread, sewed their own and their children's clothes, kept their new washing machines and dryers running all day. They changed the sheets on the beds twice a week instead of once, took the rug-hooking class in adult education, and pitied their poor frustrated mothers, who had dreamed of having a career. Their only dream was to be perfect wives and mothers; their highest ambition to have five children and a beautiful house, their only fight to get and keep their husbands. They had no thought for the unfeminine problems of the world outside the home; they wanted the men to make the major decisions. They gloried in their role as women, and wrote proudly on the census blank: "Occupation: housewife."



The National Organization for Women's 1966 Statement of Purpose



NOTICE: This is a historic document, which was adopted at NOW's first National Conference in Washington, D.C. on October 29, 1966. The words are those of the 1960s, and do not reflect current language or NOW's current priorities.

We, men and women who hereby constitute ourselves as the National Organization for Women, believe that the time has come for a new movement toward true equality for all women in America, and toward a fully equal partnership of the sexes, as part of the world-wide revolution of human rights now taking place within and beyond our national borders.

The purpose of NOW is to take action to bring women into full participation in the mainstream of American society now,

exercising all the privileges and responsibilities thereof in truly equal partnership with men.

We believe the time has come to move beyond the abstract argument, discussion and symposia over the status and special nature of women which has raged in America in recent years; the time has come to confront, with concrete action, the conditions that now prevent women from enjoying the equality of opportunity and freedom of choice which is their right, as individual Americans, and as human beings.



NOW is dedicated to the proposition that women, first and foremost, are human beings, who, like all other people in our society, must have the chance to develop their fullest human potential. We believe that women can achieve such equality only by accepting to the full the challenges and responsibilities they share with all other people in our society, as part of the decision-making mainstream of American political, economic and social life.

We organize to initiate or support action, nationally, or in any part of this nation, by individuals or organizations, to break through the silken curtain of prejudice and

discrimination against women in government, industry, the professions, the churches, the political parties, the judiciary, the labor unions, in education, science, medicine, law, religion and every other field of importance in American society.

Enormous changes taking place in our society make it both possible and urgently necessary to advance the unfinished revolution of women toward true equality, now. With a life span lengthened to nearly 75 years it is no longer either necessary or possible for women to devote the greater part of their lives to child-rearing; yet childbearing and rearing which continues to be a most important part of most women's lives -- still is used to justify barring women from equal professional and economic participation and advance.

Today's technology has reduced most of the productive chores which women once performed in the home and in mass-production industries based upon routine unskilled labor. This same technology has virtually eliminated the quality of muscular strength as a criterion for filling most jobs, while intensifying American industry's need for creative intelligence. In view of this new industrial revolution created by automation in the mid-twentieth century, women can and must participate in old and new fields of society in full equality -- or become permanent outsiders.

Despite all the talk about the status of American women in recent years, the actual position of women in the United States has declined, and is declining, to an alarming degree

throughout the 1950's and 60's. Although 46.4% of all American women between the ages of 18 and 65 now work outside the home, the overwhelming majority -- 75% -- are in routine clerical, sales, or factory jobs, or they are household workers, cleaning women, hospital attendants. About two-thirds of Negro women workers are in the lowest paid service occupations. Working women are becoming increasingly -- not less -- concentrated on the bottom of the job ladder. As a consequence full-time women workers today earn on the average only 60% of what men earn, and that wage gap has been increasing over the past twenty-five years in every major industry group. In 1964, of all women with a yearly income, 89% earned under \$5,000 a year; half of all full-time year round women workers earned less than \$3,690; only 1.4% of full-time year round women workers had an annual income of \$10,000 or more.

Further, with higher education increasingly essential in today's society, too few women are entering and finishing college or going on to graduate or professional school. Today, women earn only one in three of the B.A.'s and M.A.'s granted, and one in ten of the Ph.D.'s.

In all the professions considered of importance to society, and in the executive ranks of industry and government, women are losing ground. Where they are present it is only a token handful. Women comprise less than 1% of federal judges; less than 4% of all lawyers; 7% of doctors. Yet women represent 51% of the U.S. population. And,

increasingly, men are replacing women in the top positions in secondary and elementary schools, in social work, and in libraries -- once thought to be women's fields.

Official pronouncements of the advance in the status of women hide not only the reality of this dangerous decline, but the fact that nothing is being done to stop it. The excellent reports of the President's Commission on the Status of Women and of the State Commissions have not been fully implemented. Such Commissions have power only to advise. They have no power to enforce their recommendation; nor have they the freedom to organize American women and men to press for action on them. The reports of these commissions have, however, created a basis upon which it is now possible to build. Discrimination in employment on the basis of sex is now prohibited by federal law, in Title VII of the Civil Rights Act of 1964. But although nearly one-third of the cases brought before the Equal Employment Opportunity Commission during the first year dealt with sex discrimination and the proportion is increasing dramatically, the Commission has not made clear its intention to enforce the law with the same seriousness on behalf of women as of other victims of discrimination. Many of these cases were Negro women, who are the victims of double discrimination of race and sex. Until now, too few women's organizations and official spokesmen have been willing to speak out against these dangers facing women. Too many women have been restrained by the fear of being called 'feminist.' There is no

civil rights movement to speak for women, as there has been for Negroes and other victims of discrimination. The National Organization for Women must therefore begin to speak.

WE BELIEVE that the power of American law, and the protection guaranteed by the U.S. Constitution to the civil rights of all individuals, must be effectively applied and enforced to isolate and remove patterns of sex discrimination, to ensure equality of opportunity in employment and education, and equality of civil and political rights and responsibilities on behalf of women, as well as for Negroes and other deprived groups.

We realize that women's problems are linked to many broader questions of social justice; their solution will require concerted action by many groups. Therefore, convinced that human rights for all are indivisible, we expect to give active support to the common cause of equal rights for all those who suffer discrimination and deprivation, and we call upon other organizations committed to such goals to support our efforts toward equality for women.

WE DO NOT ACCEPT the token appointment of a few women to high-level positions in government and industry as a substitute for serious continuing effort to recruit and advance women according to their individual abilities. To this end, we urge American government and industry to mobilize the same resources of ingenuity and command with which

they have solved problems of far greater difficulty than those now impeding the progress of women.

WE BELIEVE that this nation has a capacity at least as great as other nations, to innovate new social institutions which will enable women to enjoy the true equality of opportunity and responsibility in society, without conflict with their responsibilities as mothers and homemakers. In such innovations, America does not lead the Western world, but lags by decades behind many European countries. We do not accept the traditional assumption that a woman has to choose between marriage and motherhood, on the one hand, and serious participation in industry or the professions on the other. We question the present expectation that all normal women will retire from job or profession for 10 or 15 years, to devote their full time to raising children, only to reenter the job market at a relatively minor level. This, in itself, is a deterrent to the aspirations of women, to their acceptance into management or professional training courses, and to the very possibility of equality of opportunity or real choice, for all but a few women. Above all, we reject the assumption that these problems are the unique responsibility of each individual woman, rather than a basic social dilemma which society must solve. True equality of opportunity and freedom of choice for women requires such practical, and possible innovations as a nationwide network of child-care centers, which will make it unnecessary for women to retire completely from society until their children are grown, and

national programs to provide retraining for women who have chosen to care for their children full-time.

WE BELIEVE that it is as essential for every girl to be educated to her full potential of human ability as it is for every boy -- with the knowledge that such education is the key to effective participation in today's economy and that, for a girl as for a boy, education can only be serious where there is expectation that it will be used in society. We believe that American educators are capable of devising means of imparting such expectations to girl students. Moreover, we consider the decline in the proportion of women receiving higher and professional education to be evidence of discrimination. This discrimination may take the form of quotas against the admission of women to colleges, and professional schools; lack of encouragement by parents, counselors and educators; denial of loans or fellowships; or the traditional or arbitrary procedures in graduate and professional training geared in terms of men, which inadvertently discriminate against women. We believe that the same serious attention must be given to high school dropouts who are girls as to boys.

WE REJECT the current assumptions that a man must carry the sole burden of supporting himself, his wife, and family, and that a woman is automatically entitled to lifelong support by a man upon her marriage, or that marriage, home and family are primarily woman's world and responsibility -- hers, to dominate -- his to support. We believe that a true

partnership between the sexes demands a different concept of marriage, an equitable sharing of the responsibilities of home and children and of the economic burdens of their support. We believe that proper recognition should be given to the economic and social value of homemaking and child-care. To these ends, we will seek to open a reexamination of laws and mores governing marriage and divorce, for we believe that the current state of "half-equity" between the sexes discriminates against both men and women, and is the cause of much unnecessary hostility between the sexes.

WE BELIEVE that women must now exercise their political rights and responsibilities as American citizens. They must refuse to be segregated on the basis of sex into separate-and-not-equal ladies' auxiliaries in the political parties, and they must demand representation according to their numbers in the regularly constituted party committees -- at local, state, and national levels -- and in the informal power structure, participating fully in the selection of candidates and political decision-making, and running for office themselves.

IN THE INTERESTS OF THE HUMAN DIGNITY OF WOMEN, we will protest, and endeavor to change, the false image of women now prevalent in the mass media, and in the texts, ceremonies, laws, and practices of our major social institutions. Such images perpetuate contempt for women by society and by women for themselves. We are similarly opposed to all policies and practices -- in church, state, college, factory, or office -- which, in the guise of

protectiveness, not only deny opportunities but also foster in women self-denigration, dependence, and evasion of responsibility, undermine their confidence in their own abilities and foster contempt for women.

NOW WILL HOLD ITSELF INDEPENDENT OF ANY POLITICAL PARTY in order to mobilize the political power of all women and men intent on our goals. We will strive to ensure that no party, candidate, president, senator, governor, congressman, or any public official who betrays or ignores the principle of full equality between the sexes is elected or appointed to office. If it is necessary to mobilize the votes of men and women who believe in our cause, in order to win for women the final right to be fully free and equal human beings, we so commit ourselves.

WE BELIEVE THAT women will do most to create a new image of women by acting now, and by speaking out in behalf of their own equality, freedom, and human dignity -- not in pleas for special privilege, nor in enmity toward men, who are also victims of the current, half-equality between the sexes -- but in an active, self-respecting partnership with men. By so doing, women will develop confidence in their own ability to determine actively, in partnership with men, the conditions of their life, their choices, their future and their society.

This Statement of Purpose was written by Betty Friedan, author of "The Feminine Mystique".

NOW's 1998 Declaration of Sentiments

On this twelfth day of July, 1998, the delegates of the National Organization for Women gather in convention on the one hundred and fiftieth year of the women's rights movement.

We bring passion, anger, hope, love and perseverance to create this vision for the future:

We envision a world where women's equality and women's empowerment to determine our own destinies is a reality;

We envision a world where women have equal representation in all decision-making structures of our societies;

We envision a world where social and economic justice exist, where all people have the food, housing, clothing, health care and education they need;

We envision a world where there is recognition and respect for each person's intrinsic worth as well as the rich diversity of the various groups among us;

We envision a world where non-violence is the established order;

We envision a world where patriarchal culture and male dominance no longer oppress us or our earth;

We envision a world where women and girls are heard, valued and respected.

Our movement, encompassing many issues and many strategies, directs our love for humanity into action that spans the world and unites women.

But our future requires us to know our past.

One hundred fifty years ago the women's rights movement grew out of the fight to abolish slavery. Angered by their exclusion from leadership and public speaking at abolitionist conventions and inspired by the power of the Iroquois women, a small dedicated group of women and men built a movement. After its inception, the movement was fractured by race. Our history is full of struggle against common bonds of oppression and a painful reality of separation. Nevertheless, these activists created a political force that achieved revolutionary change. They won property rights for married women; opened the doors of higher education for women; and garnered suffrage in 1920.

In 1923, on the seventy-fifth anniversary of the historic Seneca Falls convention, feminists led the demand for constitutional equality for women to win full justice under

the law in order to end economic, educational, and political inequality.

Our foremothers -- the first wave of feminists -- ran underground railroads, lobbied, marched, and picketed. They were jailed and force fed, lynched and raped. But they prevailed. They started with a handful of activists, and today, the feminist movement involves millions of people every day.

Standing on their shoulders, we launched the National Organization for Women in 1966, the largest and strongest organization of feminists in the world today. A devoutly grassroots, action-oriented organization, we have sued, boycotted, picketed, lobbied, demonstrated, marched, and engaged in non-violent civil disobedience. We have won in the courts and in the legislatures; and we have negotiated with the largest corporations in the world, winning unparalleled rights for women.

The National Organization for Women and our modern day movement have profoundly changed the lives of women, men and children. We have raised public consciousness about the plight of women to such an extent that today the majority of people support equality for women.

In the past 32 years, women have advanced farther than in any previous generation. Yet still we do not have full equality.

We have moved more feminists than ever before into positions of power in all of the institutions that shape our society. We have achieved some measure of power to effect change in these institutions from within; yet still we are far from full equality in decision-making. We demand an equal share of power in our families and religions, in law, science and technology, the arts and humanities, sports, education, the trades and professions, labor and management, the media, corporations and small businesses as well as government. In no sphere of life should women be silenced, underrepresented, or devalued.

Today, we reaffirm our demand for Constitutional equality for women and girls. Simultaneously, we are working with sister organizations to develop and pass a national women's equality act for the twenty-first century. And we participate in and advance a global movement for women and demand that the United States join the overwhelming majority of nations of the world in ratifying the United Nations Convention on the Elimination of All Forms of Discrimination Against Women without reservations, declarations, or understandings that would weaken this commitment.

We reaffirm our commitment to the power of grassroots activism, to a multi-issue, multi-tactical strategy.

We are committed to a feminist ideology and reaffirm our historic commitment to gaining equality for women, assuring safe, legal and accessible abortion and full reproductive

freedom, combating racism, stopping violence against women, ending bigotry and discrimination based on sexual orientation and on color, ethnicity, national origin, economic status, age, disability, size, childbearing capacity or choices, or parental or marital status.

We will not trade off the rights of one woman for the advancement of another. We will not be divided. We will unite with all women who seek freedom and join hands with all of the great movements of our time and all time, seeking equality, empowerment and justice.

We commit to continue the mentoring, training, and leadership development of young and new activists of all ages who will continue our struggle. We will work to invoke enthusiasm for our goals and to expand ownership in this movement for current and future generations.

We commit to continue building a mass movement where we are leaders, not followers, of public opinion. We will continue to move feminist ideals into the mainstream thought, and we will build our media and new technology capabilities to control our own image and message.

How long and hard a struggle it was to win the right for women to vote. Today, we fight the same reactionary forces:



the perversion of religion to subjugate women; corporate greed that seeks to exploit women and children as a cheap labor force; and their apologists in public office who seek to do through law what terrorists seek to accomplish through bullets and bombs. We will not submit, nor will we be intimidated. But we will keep moving forward.

Those who carried the struggle for women's suffrage through to its end were not there at the start; those who started the struggle did not live to see the victory. Like those strong feminist activists, we will not let ourselves be dispirited or discouraged. Even when progress seems most elusive, we will maintain our conviction that the work itself is important. For it is the work that enriches our lives; it is the work that unites us; it is the work that will propel us into the next century. We know that our struggle has made a difference, and we reaffirm our faith that it will continue to make a difference for women's lives.

Today, we dedicate ourselves to the sheer joy of moving forward and fighting back.

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Selections from Backlash

By SUSAN FALUDI

INTRODUCTION: BLAME IT ON FEMINISM

To be a woman in America at the close of the 20th century—what good fortune. That's what we keep hearing, anyway. The barricades have fallen, politicians assure us. Women have "made it," Madison Avenue cheers. Women's fight for equality has "largely been won," Time magazine announces. Enroll at any university, join any law firm, apply for credit at any bank. Women have so many opportunities now, corporate leaders say, that we don't really need equal opportunity policies. Women are so equal now, lawmakers say, that we no longer need an Equal Rights Amendment. Women have "so much," former President Ronald Reagan says, that the White House no longer needs to appoint them to higher office. Even American Express ads are saluting a woman's freedom to charge it. At last, women have received their full citizenship papers.

And yet. . .

Behind this celebration of the American woman's victory, behind the news, cheerfully and endlessly repeated, that the

struggle for women's rights is won, another message flashes. You may be free and equal now, it says to women, but you have never been more miserable.

This bulletin of despair is posted everywhere—at the newsstand, on the TV set, at the movies, in advertisements and doctors' offices and academic journals. Professional women are suffering "burnout" and succumbing to an "infertility epidemic." Single women are grieving from a "man shortage." The New York Times reports: Childless women are "depressed and confused" and their ranks are swelling. Newsweek says: Unwed women are "hysterical" and crumbling under a "profound crisis of confidence." The health advice manuals inform: High-powered career women are stricken with unprecedented outbreaks of "stress-induced disorders," hair loss, bad nerves, alcoholism, and even heart attacks. The psychology books advise: Independent women's loneliness represents "a major mental health problem today." Even founding feminist Betty Friedan has been spreading the word: she warns that women now suffer from a new identity crisis and "new 'problems that have no name.'"

How can American women be in so much trouble at the same time that they are supposed to be so blessed? If the status of women has never been higher, why is their emotional state so low? If women got what they asked for, what could possibly be the matter now?

The prevailing wisdom of the past decade has supported one, and only one, answer to this riddle: it must be all that

equality that's causing all that pain. Women are unhappy precisely because they are free. Women are enslaved by their own liberation. They have grabbed at the gold ring of independence, only to miss the one ring that really matters. They have gained control of their fertility, only to destroy it. They have pursued their own professional dreams—and lost out on the greatest female adventure. The women's movement, as we are told time and again, has proved women's own worst enemy.

"In dispensing its spoils, women's liberation has given my generation high incomes, our own cigarette, the option of single parenthood, rape crisis centers, personal lines of credit, free love, and female gynecologists," Mona Charen, a young law student, writes in the National Review, in an article titled "The Feminist Mistake." "In return it has effectively robbed us of one thing upon which the happiness of most women rests—men." The National Review is a conservative publication, but such charges against the women's movement are not confined to its pages. "Our generation was the human sacrifice" to the women's movement, Los Angeles Times feature writer Elizabeth Mehren contends in a Time cover story. Baby-boom women like her, she says, have been duped by feminism: "We believed the rhetoric." In Newsweek, writer Kay Ebeling dubs feminism "The Great Experiment That Failed" and asserts "women in my generation, its perpetrators, are the casualties." Even the beauty magazines are saying it:

Harper's Bazaar accuses the women's movement of having "lost us [women] ground instead of gaining it."

In the last decade, publications from the New York Times to Vanity Fair to the Nation have issued a steady stream of indictments against the women's movement, with such headlines as when feminism failed or the awful truth about women's lib. They hold the campaign for women's equality responsible for nearly every woe besetting women, from mental depression to meager savings accounts, from teenage suicides to eating disorders to bad complexions. The "Today" show says women's liberation is to blame for bag ladies. A guest columnist in the Baltimore Sun even proposes that feminists produced the rise in slasher movies. By making the "violence" of abortion more acceptable, the author reasons, women's rights activists made it all right to show graphic murders on screen.

At the same time, other outlets of popular culture have been forging the same connection: in Hollywood films, of which Fatal Attraction is only the most famous, emancipated women with condominiums of their own slink wild-eyed between bare walls, paying for their liberty with an empty bed, a barren womb. "My biological clock is ticking so loud it keeps me awake at night," Sally Field cries in the film Surrender, as, in an all too common transformation in the cinema of the '80s, an actress who once played scrappy working heroines is now showcased groveling for a groom. In prime-time television shows, from "thirtysomething" to

"Family Man," single, professional, and feminist women are humiliated, turned into harpies, or hit by nervous breakdowns; the wise ones recant their independent ways by the closing sequence. In popular novels, from Gail Parent's *A Sign of the Eighties* to Stephen King's *Misery*, unwed women shrink to sniveling spinsters or inflate to fire-breathing she-devils; renouncing all aspirations but marriage, they beg for wedding bands from strangers or swing sledgehammers at reluctant bachelors. We "blew it by waiting," a typically remorseful careerist sobs in Freda Bright's *Singular Women*; she and her sister professionals are "condemned to be childless forever." Even Erica Jong's high-flying independent heroine literally crashes by the end of the decade, as the author supplants *Fear of Flying*'s saucy Isadora Wing, a symbol of female sexual emancipation in the '70s, with an embittered careerist-turned-recovering- "co-dependent" in *Any Woman's Blues*—a book that is intended, as the narrator bluntly states, "to demonstrate what a dead end the so-called sexual revolution had become, and how desperate so-called free women were in the last few years of our decadent epoch."

Popular psychology manuals peddle the same diagnosis for contemporary female distress. "Feminism, having promised her a stronger sense of her own identity, has given her little more than an identity crisis," the best-selling advice manual *Being a Woman* asserts. The authors of the era's self-help classic *Smart Women/Foolish Choices* proclaim that

women's distress was "an unfortunate consequence of feminism," because "it created a myth among women that the apex of self-realization could be achieved only through autonomy, independence, and career."

In the Reagan and Bush years, government officials have needed no prompting to endorse this thesis. Reagan spokeswoman Faith Whittlesey declared feminism a "straitjacket" for women, in the White House's only policy speech on the status of the American female population—entitled "Radical Feminism in Retreat." Law enforcement officers and judges, too, have pointed a damning finger at feminism, claiming that they can chart a path from rising female independence to rising female pathology. As a California sheriff explained it to the press, "Women are enjoying a lot more freedom now, and as a result, they are committing more crimes." The U.S. Attorney General's Commission on Pornography even proposed that women's professional advancement might be responsible for rising rape rates. With more women in college and at work now, the commission members reasoned in their report, women just have more opportunities to be raped.

Some academics have signed on to the consensus, too—and they are the "experts" who have enjoyed the highest profiles on the media circuit. On network news and talk shows, they have advised millions of women that feminism has condemned them to "a lesser life." Legal scholars have railed against "the equality trap." Sociologists have claimed that

"feminist-inspired" legislative reforms have stripped women of special "protections." Economists have argued that well-paid working women have created "a less stable American family." And demographers, with greatest fanfare, have legitimated the prevailing wisdom with so-called neutral data on sex ratios and fertility trends; they say they actually have the numbers to prove that equality doesn't mix with marriage and motherhood.

Finally, some "liberated" women themselves have joined the lamentations. In confessional accounts, works that invariably receive a hearty greeting from the publishing industry, "recovering Superwomen" tell all. In *The Cost of Loving: Women and the New Fear of Intimacy*, Megan Marshall, a Harvard-pedigreed writer, asserts that the feminist "Myth of Independence" has turned her generation into unloved and unhappy fast-trackers, "dehumanized" by careers and "uncertain of their gender identity." Other diaries of mad Superwomen charge that "the hard-core feminist viewpoint," as one of them puts it, has relegated educated executive achievers to solitary nights of frozen dinners and closet drinking. The triumph of equality, they report, has merely given women hives, stomach cramps, eye-twitching disorders, even comas.

But what "equality" are all these authorities talking about?

If American women are so equal, why do they represent two-thirds of all poor adults? Why are nearly 75% of full-time working women making less than \$20,000 a year, nearly

double the male rate? Why are they still far more likely than men to live in poor housing and receive no health insurance, and twice as likely to draw no pension? Why does the average working woman's salary still lag as far behind the average man's as it did twenty years ago? Why does the average female college graduate today earn less than a man with no more than a high school diploma just as she did in the '50s)—and why does the average female high school graduate today earn less than a male high school dropout? Why do American women, in fact, face one of the worst gender-based pay gap in the developed world?

If women have "made it," then why are nearly 80% of working women still stuck in traditional "female" jobs—as secretaries, administrative "support" workers and salesclerks? And, conversely, why are they less than 8% of all federal and state judges, less than 6% of all law partners, and less than one half of 1% of top corporate managers? Why are there only three female state governors, two female U.S. senators, and two Fortune 500 chief executives? Why are only nineteen of the four thousand corporate officers and directors women—and why do more than half the boards of Fortune companies still lack even one female member?



If women "have it all," then why don't they have the most basic requirements to achieve equality in the workforce? Unlike virtually all other industrialized nations, the U.S. government still has no family-leave and child care programs—and more than 99% of American private employers don't offer child care either. Though business leaders say they are aware of and deplore sex discrimination, corporate America has yet to make an honest effort toward eradicating it. In a 1990 national poll of chief executives at Fortune 1000 companies, more than 80% acknowledged that discrimination impedes female employees' progress—yet, less than 1% of these same companies regarded remedying sex discrimination as a goal that their personnel departments should pursue. In fact, when the companies' human resource officers were asked to rate their department's priorities, women's advancement ranked last.

If women are so "free," why are their reproductive freedoms in greater jeopardy today than a decade earlier? Why do women who want to postpone childbearing now have fewer options than ten years ago? The availability of different forms of contraception has declined, research for new birth control has virtually halted, new laws restricting abortion—or even information about abortion—for young and poor women have been passed, and the U.S. Supreme Court has shown little ardor in defending the right it granted in 1973.

Nor is women's struggle for equal education over; as a 1989 study found, three-fourths of all high schools still violate the

federal law banning sex discrimination in education. In colleges, undergraduate women receive only 70% of the aid undergraduate men get in grants and work-study jobs—and women's sports programs receive a pittance compared with men's. A review of state equal-education laws in the late '80s found that only thirteen states had adopted the minimum provisions required by the federal Title IX law—and only seven states had anti-discrimination regulations that covered all education levels.

Nor do women enjoy equality in their own homes, where they still shoulder 70% of the household duties—and the only major change in the last fifteen years is that now middle-class men think they do more around the house. (In fact, a national poll finds the ranks of women saying their husbands share equally in child care shrunk to 31% in 1987 from 40% three years earlier.) Furthermore, in thirty states, it is still generally legal for husbands to rape their wives; and only ten states have laws mandating arrest for domestic violence—even though battering was the leading cause of injury of women in the late '80s. Women who have no other option but to flee find that isn't much of an alternative either. Federal funding for battered women's shelters has been withheld and one third of the 1 million battered women who seek



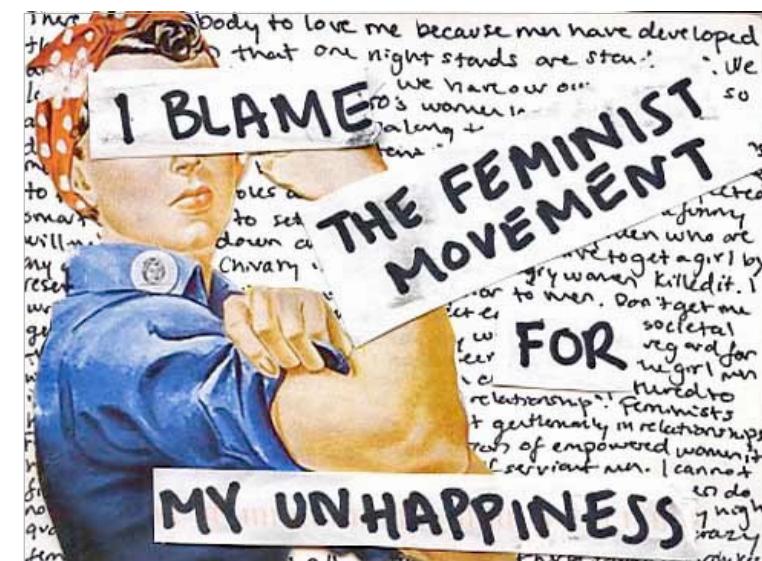
emergency shelter each year can find none. Blows from men contributed far more to rising numbers of "bag ladies" than the ill effects of feminism. In the '80s, almost half of all homeless women (the fastest growing segment of the homeless) were refugees of domestic violence.

The word may be that women have been "liberated," but women themselves seem to feel otherwise. Repeatedly in national surveys, majorities of women say they are still far from equality. Nearly 70% of women polled by the New York Times in 1989 said the movement for women's rights had only just begun. Most women in the 1990 Virginia Slims opinion poll agreed with the statement that conditions for their sex in American society had improved "a little, not a lot." In poll after poll in the decade, overwhelming majorities of women said they needed equal pay and equal job opportunities, they needed an Equal Rights Amendment, they needed the right to an abortion without government interference, they needed a federal law guaranteeing maternity leave, they needed decent child care services. They have none of these. So how exactly have we "won" the war for women's rights?

Seen against this background, the much ballyhooed claim that feminism is responsible for making women miserable becomes absurd—and irrelevant. As we shall see in the chapters to follow, the afflictions ascribed to feminism are all myths. From "the man shortage" to "the infertility epidemic" to "female burnout" to "toxic day care," these so-called female

crises have had their origins not in the actual conditions of women's lives but rather in a closed system that starts and ends in the media, popular culture, an advertising—and endless feedback loop that perpetuates and exaggerates its own false images of womanhood.

Women themselves don't single out the women's movement as the source of their misery. To the contrary, in national surveys 75 to 95% of women credit the feminist campaign with improving their lives, and a similar proportion say that the women's movement should keep pushing for change. Less than 8% think the women's movement might have actually made their lot worse.



The End of Herstory

By KAY S. HYMOWITZ

When you ask young women today if they think of themselves as feminists, more often than not they will pause for a moment. Then they will answer something like: "Well, I believe in equal pay for equal work," or "Yes, I do believe women should have choices," or "Of course, I believe women should have equal rights."

If these are the principles that define feminism, then we are all feminists now. And the future belongs to feminism, too: a 2001 American Demographics survey of adolescent girls entitled "The Granddaughters of Feminism" found that 97 percent believe women should be paid equally, while 92 percent believe "lifestyle choices" should not be limited by sex. Curiously, the war on terror has, if anything, solidified our commitment to women's rights, though orthodox feminists opposed it as another dangerous example of "the cult of masculinity." The sight of women forced to scurry about in sacks brought home to Americans just how much they treasured their freedoms, including those won for women over the past decades. For a remarkable moment, President Bush and Eleanor Smeal of the Feminist Majority, which had long tried to bring Taliban mistreatment of women to the State Department's attention, seemed members

of the same party—which, seen against the backdrop of radical Islam, they actually are.

But how do we explain that pause that comes when you ask women if they consider themselves part of the movement? The truth is, very few Americans are capital "F" Feminists. Polls show that only about a quarter of women are willing to accept the label. Younger women seem no more comfortable with the title than their grandmothers were. Marie Wilson, president of the Ms. Foundation for Women, has admitted that the elite young women who 20 years ago would have been the generals of the movement are feminists "by attitude . . . [but] are not interested in hearing about organized movements or activism." They mostly do not join NOW or read Ms. magazine. They don't think of themselves as second-class citizens of the patriarchy, or follow "women's issues" in the news, and their marital status seems as likely to predict how they will vote as their sex.

Activists who try to make sense of these young feminists who are not Feminists conclude that the movement has an image problem. The reason so many people believe in feminist goals yet reject the label, they say, is that the media have given us a cartoon picture of liberationists as humorless, Birkenstock-wearing man-haters, our era's version of the old-fashioned spinster. Feminism is still an "unfinished revolution," they say, and young women share its goals. They just don't like the packaging.

But this explanation falls far short. Feminism is not simply suffering from a P.R. problem. It's just over. As in finished.

Supporters will smile and reply that the movement has been read its last rites often during its lifetime. What's different now, though, is that feminism appears not so much dead as obsolete. Yes, it has bred a generation of empowered young women. But rooted in a utopian politics that longs to transcend both biology and ordinary bourgeois longings, it cannot address the realities of the lives that it has helped to change. Young women know this, even if their mothers do not.

Up until a year ago, Amanda Laforge could have served as a poster girl for Ms. After graduating from Boston University, she went to American University law school. When she married, she kept her maiden name and her job with the Maryland secretary of state. When she got pregnant, she continued commuting 45 minutes to her new job at the state attorney general's office. When the baby came, she planned to take three months' maternity leave, and then return to the office for a continued climb up the career ladder.

It didn't turn out that way. Instead of becoming super career mom, she quit her job. Yet she shows no symptoms of Oppressed Housewife Syndrome. Isn't she bored? "No. I love it." Does she miss her job? "I do miss working—or at least having colleagues. I've started to look for part-time work." Does she worry that she is not her husband's equal? "I feel superior to my husband," she sniffs. "Women are

much more powerful." But won't her career suffer? "I'm struggling with this personally right now. I know I've already compromised my ability to reach the height of my career. But I see a lot of room to make up." Is it so easy to put aside your career? "No, but I had friends whose mothers were career women who just got caught up in something. Now they've worked for 25 or 30 years for X company, and they didn't get to such enormous heights. Would their lives have been that much different if they had worked part-time? I know a lot of fairly educated people," Amanda concludes, "and no one is looking for more time at the office."

It would be a big mistake to see Amanda as a return to 1950s milk-and-cookies motherhood or as evidence of the backlash that Feminists announce with every article by Katie Roiphe. It would be equally wrong to conclude that most young mothers today are quitting work to be with their babies. Many are; but many others are working part-time, or two days a week at the office, say, and three at home. And, yes, many others are going back to work full-time.

But regardless of how they arrange their lives, women like Amanda illustrate a truth that Feminism never anticipated and is still busily denying: after the revolution, women want husbands and children as much as they want anything in life. It's not that the daughters and granddaughters of feminism don't respect those who forgo marriage and motherhood: in the American Demographics poll, 89 percent of adolescent girls said a woman does not need a man to be a success, and

the percentage of single women between 35 and 44 has increased significantly since 1960. But the vast majority of young women continue to tell pollsters that they want to marry and have children, and they go on to do so. Census experts predict that upward of 90 percent of today's young women will eventually marry, which means, remarkably enough, that women today tie the knot at a rate similar to that of their grandmothers. Moreover, even with the widely publicized decline in fertility in recent decades, a large majority of women will also become mothers; as of 2000, 81 percent of women aged 40 to 44 had given birth to at least one child.

After giving birth, moreover, not many embrace the one preferred Feminist solution to liberated motherhood: dropping the baby off at the day-care center for 50 hours a week. According to another American Demographics study, having come from broken or latchkey homes, most Gen Xers think the best arrangement is for one parent to stay home with the kids, a belief that other polls suggest the majority of Americans share. This usually means Mom, even after three decades of feminism and a concerted effort to get fathers to man the nursery. A 1996 Census Bureau report shows that 42 percent of children under five have a parent at home full-time, another 19.4 percent part-time—and the large majority of these parents are women. The latest Census Bureau numbers show that 55 percent of women with infants were in

the workforce in 2000, compared with 59 percent two years earlier—the first such decline since 1979.

It's no wonder that Feminists have a hard time accepting that trends like these could represent what women actually want. After all, Feminists of the 1960s and 70s took to the streets on the premise that women wanted to escape from the prison house of the bourgeois home and take up positions in the office and the boardroom, where the real power lies. Women consigned to the role of housewife and mother measured out their days with baby spoons and dirty socks, but work, it seemed to these followers of Betty Friedan, would give them adventure, self-expression, freedom. In the seventies, the offices of Ms. and other feminist organizations sported signs proclaiming women working!

Echoes of this kind of thinking still resound in aging Feminist circles. In her recent book, *Flux*, for example, Peggy Orenstein explains that work or career "requires the assertion of self," whereas in wifehood and motherhood "your whole identity as a person gets swallowed up." In the same vein, several years ago a successful screenwriter of about 50 told me that she was contemplating divorce. When I expressed sympathetic alarm, she hastened to explain that there was nothing wrong with her marriage; it was just that "I hate that word 'wife.' It's not who I am."

Such talk has about as much resonance as "Remember the Maine!" for younger women. For one thing, the romance of work—what might be called the Feminist mystique—has

faded. Young women, as more than one I interviewed put it, are far more likely to feel pressure to be “super career women” than to play Ozzie’s Harriet. That doesn’t mean that those fortunate enough to have challenging jobs don’t take great pride in their accomplishments or enjoy the intellectual stimulation they get at the office. And it doesn’t mean that there aren’t plenty of young women as fiercely ambitious as Duddy Kravitz. But many are put off by the single-minded careerism they associate with Feminism. In *Feminist Fatale: Voices of the Twentysomething Generation Explore the Women’s Movement*, Paula Kamen interviewed a number of such skeptics. “There are many women in this field in their late thirties who don’t have a family and their entire social life revolves around the job and people [on the job],” says one twentysomething. “I think that’s horrible.”

Remember also that the majority of women in their twenties and thirties watched their own mothers go to work but didn’t see adventurers and heroines. They saw tired women complaining about their bosses and counting the days until the next vacation, just as women their mothers’ age saw their fathers doing. And they know from personal experience that taking a meeting with a client or lunching with colleagues involves every bit as much of the role-playing that Feminists wanted to escape. “I worked 60 hours a week from the time I got out of college till I got pregnant,” one Boston-area 30-year-old marketing executive said. “I was tired of it. My job is not emotionally fulfilling. I like it, but it’s just a job.”

In short, for these women the personal is not political—it’s, well . . . personal. Even the most ambitious young women refuse to judge the housewife as, in Betty Friedan’s words, a “waste of human self.” Sara Ely Hulse, a recently married 26-year-old CBS producer proud of her “independent nature,” would seem a logical candidate for Feminist skepticism toward housewifery: her career is so promising that she and her husband consider appointing him the main caregiver when they have children. But when I asked whether she looked down on her mother, who had stayed at home to raise her and her two sisters, she answered heatedly: “Oh God, no! I loved having someone to come home to every day.” A young D.C. lawyer-mother I interviewed, though she went back to work three months after giving birth, is also entirely sympathetic to stay-at-homes. After all, when she gets together with friends, she says, “All we talk about is our babies.”

Nothing illustrates this reclaiming of the personal more clearly than the Mrs. question. For sixties feminists, becoming Mrs. John Smith epitomized both women’s second-class status and their economic and psychological dependence on men. Indeed, former NOW president Patricia Ireland wrote in her recent memoir, *What Women Want*, that a woman taking her husband’s name “signifies the loss of her very existence as a person under the law.” Pshaw, younger women say; it doesn’t mean anything of the sort. You can keep your name if you want—and many women do,

as often for practical as for philosophical reasons. You can hyphenate your name or use your maiden name for work and your married name everywhere else. Or if you want to have the same name as your husband and children, go for it. “A lot of women in my office said keeping your maiden name is a hassle, like when the school calls, or the kids’ doctor, and asks for you using the child’s last name,” the independent-minded Sara Hulse said. “I hate hyphenated names—so I changed my name.” The D.C. lawyer explained that her decision to use her husband’s name was prompted by her experience growing up with a divorced and remarried mother. “I had a different name from my mother,” she recalls, “and it always bothered me.”

Single women, especially those in their later twenties and early thirties, have other reasons to feel impatient with the Feminist mystique. They followed the careerist script to a tee: they worked until 10 pm, got flashy jobs, fought for promotions. Meanwhile, they had sex when they felt like it, indifferent to whether their partner was husband material or not; they lived with their boyfriends, shrugged when that didn’t work out, and moved on to the next one. But after some years of this, many are surprised to find that the single life is less like *Sex and the City* than *The Apartment*.

“Sex is an easily attainable, feminist-approved goal, one that carries less stigma than admitting to loneliness or desperately wanting emotional connection with a man,” writes Katherine Marsh in a *Washington Monthly* article, in one of several

youthful critiques of Feminism that have recently appeared. “While feminists can solidly advise on how to get rid of a man—obtaining a fair divorce or a restraining order against an abusive spouse—it’s fairly mute on how to find love and live with a decent man.” Vanessa Grigoriadis, writing in a recent *New York Magazine* article, tells of a woman whose parents, in thrall to the feminist career mystique, refused to pay for a wedding if she married before 30. But now she and her peers are feeling uneasy. “These days, the independence that seemed so fabulous—at least to those of us who tend to use that word a lot—doesn’t anymore.”

These younger women are especially peeved that, in promoting female independence, Feminism denied biological realities that now loom large. Feminists often like to talk about the “click”—the moment when a woman experiences discrimination so clearly that she sees her whole life in a radically new light. For a lot of younger women, the “click” moment has now arrived in a totally unexpected form. With the torrent of media coverage following the recent publication of Sylvia Ann Hewlett’s *Creating a Life*—publicity that focused on the fertility problems of older high-achieving women—everything looks different. For just as there are no atheists in foxholes, there are no Feminists in the throes of fertility anxiety.

“I’m 28 and grew up in Manhattan, attended a competitive private high school and a liberal-arts college,” marvels Grigoriadis, “and at no point did anyone bring up the notion

that the sexes were anything but equal. To me, it seemed like ideology was going to triumph over biology." The "unwillingness to confront the personal—more precisely the feminine personal—is the biggest failure of the Second Wave," Sarah Blustain, the 32-year-old managing editor of *The New Republic*, has written. ("Second Wave" feminism is sixties and seventies feminism; First Wavers were the



suffragettes.) "It's why the movement has refused to deal with the fact that even after the Revolution, many women want to marry men and bear their children. . . . It's why, just this month, Time ran on its cover another installment of the Baby vs. Career story that drove women I know to tears for reminding us of the incredible double bind."

Even young women who embrace the Feminist label have a beef with Sisterly avoidance of "the feminine personal." Susan Jane Gilman, author of *Kiss My Tiara: How to Rule the World as a Smartmouth Goddess*, is one of Feminism's more dutiful daughters in many ways—her pet issues include abortion rights, sexual harassment, and domestic violence—yet she says: "For women today, feminism is often perceived as dreary. As elitist, academic, Victorian, whiny, and passé."

Young women Gilman's age don't remember the thrill of the bra-burning, let's-do-it-in-the-road seventies; instead they went to the thin-lipped, Catherine MacKinnon school of Feminism, where they learned that even their younger brothers were potential harassers, even rapists. They're having none of it. Calling themselves girlie feminists, lipstick feminists, or sometimes just Third Wavers, they have taken to flaunting the very femininity that Feminists had scolded would lead men to objectify them.

If there is a beauty myth, these renegades are true believers. They want their lip gloss, their Victoria's Secret lingerie, and their MTV. Oxford student Chelsea Clinton, pictured recently cuddling with her boyfriend in a Venetian gondola and at a Paris fashion show with a deep décolletage and enough mascara to paint a fence, appears to be a girlie feminist. At her age, her mother sported geeky glasses and unkempt hair, emblems of the I've-got-more-important-things-on-my-mind-than-attracting-a-man branch of Feminism, the Second Wave incarnate.

Still, it is more than nail polish that makes these daughters very different from what their mothers envisioned when they groomed them to take over the family business. For all their in-your-face sexual bravado, girlie feminists can be unabashed traditionalists. Consider Bust, a girlie Internet 'zine that describes itself as "the magazine for women with something to get off their chests." With its signature T-shirts that say KISS MY ASS and TOUGH TITTIES, and its

pronouncement of “The New Girl Order,” Bust is full of Erica Jongish, zipless-sex Attitude. Yet as the title of one article, “A Bad Girl’s Guide to Good Housekeeping,” suggests, the hipness coexists with more conventional desires. A recent chat room offering “A Feminist Analysis of the Baby Scare” was less MacKinnon than Bride. “I’m conflicted,” one participant wrote. “Did some feminists drop the ball on this one? Have we understated the power of biology?” Another contributor was just mad: “I am not a mother and I am still not sure if/when I will be one,” she wrote. “But it really depresses me that if I do choose to get knocked up before the age of 30, that I will be looked upon as nothing more than a tool of the patriarchy. Sisterhood is powerful. Baloney.”

What all this suggests is a vast and sharper-than-a-serpent’s-tooth generation gap between Feminists and their progeny. “A woman in her twenties or thirties and I are in parallel universes, as if we were in two different countries,” Gloria Steinem has admitted. Being the out-of-touch oldtimers is especially painful for aging boomer-Feminists, once so proud of being in the vanguard. In the course of researching her recent history of the women’s movement, Susan Brownmiller looked up many old activist acquaintances and found them “very depressed” at their irrelevance. Other Second Wavers get prickly: how can these youngsters be so ignorant of what is at stake here?

Lisa Belkin, a New York Times reporter who covers the “work/life” beat and frequently recounts her own attempts to balance her enviable career with two young sons and a husband, was recently on the receiving end of this irritability, when Maureen Corrigan, a boomer Georgetown literature professor, reviewed her new collection of columns, *Life’s Work*. Corrigan blasted the younger woman’s failure to show more respect for the Second Wave legacy. Where Belkin cheerfully accepts the inevitable tensions between her career and family life, Corrigan spies the “small pathologies of an unfinished revolution.” Where the frankly ambitious Belkin nevertheless acknowledges that the stresses of her husband’s job as a pediatric cardiologist make her own deadline pressures seem less intense, Corrigan frets that young women should “stop apologizing for having professional ambitions and minds of their own.” And when Belkin describes the confusion that sometimes comes from using her maiden name at work and her husband’s name socially, Corrigan explodes: this young woman has a “weirdly reactionary split personality,” she snarls. “Why [did] she choose to create problems for herself by taking her husband’s last name in the first place?”

Meanwhile, the younger generation concludes that older women just don’t get it. Peggy Orenstein, who in her late thirties is old enough to be a card-carrying member of the Sisterhood but young enough to know that the future needs attending to, traveled around the country asking 200 women

about their attitudes toward work, romance, and family for her recent book, *Flux*. She was puzzled to find women who share neither her passion for work nor her ambivalence toward marriage and motherhood. During the question period after a speech at Washington University, a student burst out: "I don't want to have to wait until I'm thirty-five to have kids!" Orenstein's priceless reaction speaks volumes about the chasm between the New Girl Order and the Second Wave Old Guard. "I nodded too, sympathetically. It really wasn't fair. Then suddenly, I thought, 'Wait a minute! I'm nearly thirty-seven and I don't have children yet. These women don't want to be me.' "

Of course, many older Feminists are shocked—shocked!—that their daughters' generation could think that they looked down their noses at the feminine personal. "The notion that the women's movement denigrates women who choose the traditional roles of wife and mother is arrant nonsense," columnist Molly Ivins writes emphatically. She might want to sign up for a few women's studies classes at Yale or the University of Texas or check out the current literature from NOW. What she'll find is not just hostility to "traditional roles" but a tight-wound ambivalence toward the biological urges that young women now so loudly affirm and a hostility to bourgeois life that few young women share.

Take the Feminist attitude toward marriage. When college women sit at the knee of their female elders, they may well read from the widely used textbook *Women's Realities*,

Women's Choices. There they will learn that "the institution of marriage and the role of 'wife' are intimately connected with the subordination of women in society in general." For the teachers, this attitude isn't just theoretical. Daphne Patai, co-author of *Professing Feminism* and author of *Heterophobia*, books critical of the women's studies industry, recounts a lunch with other female academics, at which one announces she is getting married. The response: shocked, dead, embarrassed silence.

Yet Feminist hostility to marriage goes beyond the view that it makes women second-class citizens. Feminists also cling to the ideal of the post-bourgeois, liberated woman, who not only doesn't need a man but also rejects conventional middle-class life in favor of a self-created, adventurous independence. When Gloria fish-without-a-bicycle Steinem married in 2000, for example, she evidently felt she had to lend her act a heroic, anti-bourgeois cast. "I had no desire to get married and neither did he," she said—but "it seems rebellious at 66."

Motherhood too interests orthodox Feminists only insofar as it overturns bourgeois norms. NOW, for example, fiercely supports single welfare mothers and bristles at any reform that might try to encourage them to go to regular jobs or—God forbid—to marry. Ireland got herself arrested at a 1996 demonstration at the Capitol when the House passed "the Republican welfare bill that would have plunged millions of women and children deeper into poverty," as she put it in her

memoir. Though child poverty and overall poverty have declined since welfare reform, NOW has failed to acknowledge its error. In addition, the group continues to sound the alarm against current proposals to promote marriage. As Kim Gandy, the current NOW president, says, the plan reminds her of her backward “grandmother’s friends say[ing], ‘Honey, when are you going to get married?’”

Still, the NOW folks can believe in the happily-ever-after—as long as they’re talking about lesbians. NOW heavily promotes gay marriage and adoption—not, like other advocates, as a civil rights issue, but because they view lesbian liaisons and motherhood as a means of subverting conventional marriage and sex roles. Norah Vincent, a Los Angeles Times columnist and a gay libertarian, dismisses the organization’s support. “It’s the old Marxist agenda. Feminists see gay people as the newest proletariat. They want to overthrow the old bourgeois system. It’s not my agenda.” She adds that she and her girlfriend often joke that they would love nothing more than a traditional middle-class life. “We think of advertising: ‘Two women willing to do housework and take care of children in return for a husband.’”

But while Feminists can get as misty as a Hallmark card over lesbian and welfare mothers, they cast a colder eye upon the other 90 percent of women who might look longingly inside Snuglis and baby carriages. Phyllis Chesler, author of the Second-Wave best-seller *Women and Madness*, recounts

that, when she became pregnant in the late seventies, friends begged her not to have a child, which would cause her to abandon the movement. These days, when faced with young female baby hunger, Second Wavers are still acting as skittish as Hugh Hefner. Last fall, for example, alarmed at infertility problems they were seeing in the increasing number of women putting off childbearing into their forties, the American Society for Reproductive Medicine launched an ad campaign warning that “Advancing Age Decreases Your Ability to Have Children.” But where the doctors were focusing on the gap they observed between medical fact and wishful thinking on the part of contemporary women, one that had already brought many to grief, the Feminists spied only the ever-lurking bourgeois backlash against the heroic career woman. “There is an antifeminist agenda that says we should go back to the 1950’s,” Caryl Rivers, a professor of journalism at Boston University and a frequent commentator on Feminist issues, pronounced in *Time*. “The subliminal message is ‘Don’t get too educated; don’t get too successful or too ambitious.’”

And here we come to the primary reason for Feminism’s descent into irrelevance. Whereas most young women will at some point want babies like they want food, for Feminists, motherhood is the ten-ton boulder in the path of genuine liberation. It mucks up ambition, turning fabulous heroines of the workplace—killer lawyers, 24/7 businesswomen, and ruthless senator wannabes—into bourgeois wifies and

mommies. It hinders absolute equality, since women with children don't usually crash through glass ceilings. They resist traveling three days a week to meet with hotshot clients; they look at their watches frequently and make a lot of personal phone calls.

Nothing irks a movement Feminist more than news of a Sister packing in a high-powered career. Candice Carpenter, who when she married left her position as CEO of iVillage, changed her name, and joined the ranks of stay-at-home mothers, earned the wrath of Brandeis professor Linda Hirshman, who called her "the born-again Stepford wife." When presidential aide Karen Hughes announced that she was leaving Washington because her family was "homesick" for Texas, Hirshman was equally incensed, blasting Hughes's husband for not "supporting her career" and for failing to promote "justice in the private world of the family."

Feminists deal with the unsettling fact that, even after the revolution, women persist in wanting to be mothers in two ways. The first tack is simple denial. Amazingly, given young women's preoccupation with how to balance work and motherhood, neither NOW nor the Feminist Majority, the movement's two most influential organizations, includes maternity leave, flex time, or even day care on its list of vital issues.

The other tack, favored by academic Feminists, is a more complex denial. Yes, women may want babies, they concede; but that doesn't mean they want motherhood—at least not

motherhood as it has been "constructed" by the patriarchy throughout history. For these theorists, only a social arrangement that makes men and women exactly equal coparents—at work precisely the same number of hours, and taking care of the children precisely the same number of hours—is acceptable. In a recent article in *The American Prospect*, Janet Gornick averaged out the number of hours worked by mothers of children under three (23) and those worked by fathers (44) and proclaimed the egalitarian goal: both Mom and Dad should work 33.5 hours a week. It is not enough to give men and women more flexibility and choices about how to organize their lives; the goal is "unbending gender," as American University law professor Joan Williams puts it in her book of that title. Williams rejects what she calls "choice rhetoric"; a woman who thinks she is freely choosing to stay home is just fooling herself, in thrall to the "ideology of domesticity."

Feminists who share Williams's and Gornick's goals aren't about to let biology get in the way of their plans for utopian parity. Though they don't go as far as those 1970s radicals who looked forward to growing fetuses outside the womb, they search for ways to make every aspect of motherhood a 50-50 proposition. In *Woman: An Intimate Geography*, for instance, Natalie Angier comes up with one idea about "sharing" breastfeeding: if the father would just rock the baby between feedings "against his naked breast," then men too could have "a visceral connection with a newborn."

Little wonder that few women in their twenties and thirties seek to complete this so-called unfinished revolution. They don't yearn for the radical transformation of biological restraints and bourgeois aspirations devoutly wished by stalwarts. Even those few who want more androgynous sex roles for themselves don't wish to impose them on others. Yes, they took women's studies courses—often only to satisfy their college's diversity requirement—but they came away unimpressed. To many of them, Feminism today represents not liberation but its opposite: a life that must be lived according to a strict, severe ideology. The younger generation, on the other hand, wants a liberation "that isn't just freedom to choose [but] . . . freedom from having to justify one's choices," as Jennifer Foote Sweeney has put it in *Salon*. In short, they're ready to de-politicize the personal.

But none of this means that the second sex is entirely at peace in the New Girl—or the New Woman—Order. There is a deep tension between young family values and female ambition that will spark many years of cultural debate—and it's not just about who's going to do the laundry or take the kids to the pediatrician. There is still plenty of grumbling on that score, of course: in her recent study *For Better or For Worse*, for example, Mavis Hetherington found that two-thirds of married women complained about the disproportionate burden of house and child care that falls on their shoulders (though she also found that traditional

families, with breadwinner husband and stay-at-home wife, had the lowest rate of divorce).

But more important, biology simply disagrees with our careerist culture. The evidence is that, even after 30 years of the Feminist mystique, women may want men to help out more, but they still want to be the primary parent and nester-in-chief. The *Motherhood Report*, a 1989 survey of over 1,000 mothers, found that, while three-quarters of women want men to pitch in more, their goal is not 50-50 parenting. They like being boss at home. Suzanne Braun Levine's 2000 *Father Courage: What Happens When Men Put Family First* suggests that in this department not much has changed in the past ten years. Levine went searching for "the second stage of the gender role revolution"—couples who defy all traditional mommy-daddy divisions. She found some who, with much struggling, were doing so (although you don't have to be Robert Young to think that her description of the brutal, dawn-to-midnight, pass-the-baton existence of some of her couples—think of it as X-treme domesticity—makes *Father Knows Best* look like a sane alternative). But she also finds, contrary to the Feminist picture of the patriarchy foisting unwanted roles on women, that it is often the second sex, who, wanting to be the first sex in the nursery, undermines these arrangements.

In my own interviews, I found that young women are not especially nervous about thinking of this stubborn clinging to traditional roles as based in biology. When you ask if there

are innate differences between the sexes, they talk comfortably in some of the terms that would satisfy an evolutionary psychologist. They generally believe that women have a closer bond with babies. They see that women usually play what one thirtyish lawyer called “household executive.” And they’re not especially worried about it. “I don’t see it as injustice unless [women] are denied opportunity,” one lawyer shrugged. As Norah Vincent concludes, “Equal does not mean the same.”

The sharpest tension in the lives of the post-Feminist young comes from a workplace designed for people who can put in long, consecutive hours—mainly men and childless women. Mothers, as well as many fathers, want jobs with more flexibility through job sharing, part-time hours, and leaves of absence. And they want the assurance that they can get back on the fast track when the demands of child-rearing ease off. More discussion and lobbying about these issues in the future is certain. Right now, for instance, Anne Crittenden, the author of *The Price of Motherhood*, is launching a lobbying group called MOTHER (Mothers Ought to Have Equal Rights), dedicated to promoting more family-friendly workplaces, improved benefits for mothers, and a reduction of the “mommy tax.”

Still, this tension can’t be entirely, or even mostly, resolved. The difficult truth is that the very economy that stirs the imaginations and ambitions of young people—that makes them work 80 hours a week in a start-up business, that

makes them want to learn new skills or take on extra duties so that they can get promoted or start their own businesses—is the same economy that will never be especially family-friendly and that often leaves even ambitious working mothers behind. Those who long for the Western European model, with its shorter workweeks, longer vacation times, and generous maternity and paternity leaves, fail to see that those more regulated economies also produce less excitement, less creativity, less opportunity, less money, less of what I’ve called “ecstatic capitalism.” Western European workers don’t work as hard; they also don’t have as many opportunities to create new businesses, develop new skills, and get rich.

Many women seem to understand this reality. A number of those I interviewed said that their crisis-driven jobs made part-time hours either impossible or a sure route to less interesting assignments. They did not blame their employers; they were quick to admit that if you tell clients that the person handling their case or account won’t be in on Tuesdays, Wednesdays, and Fridays, you’re going to lose them. All of the co-parenting fathers in Levine’s book have had to give up not just Saturday golf but also dreams of writing a novel or of making partner. In such marriages, women are not the only ones who can’t have it all. To these couples, everybody wins—Levine’s male subjects appear pleased with how close they are to their children; but everybody loses, too.

The more immediate point, however, is that while younger women are struggling with how to balance work and family, they have said good-bye to the radical dreams of Feminism.

Case in point: Rachel Foster, a Brooklyn mother of two young children who is on leave from her job as a Legal Aid lawyer. Foster is the great-granddaughter of William Foster, the founder of the American Communist Party, and his wife, Esther Peterson, a once well-known free-love nudist, who raised Rachel's grandfather in an anarchist community. She is the daughter of a social-worker mother who worked from the time Rachel was five weeks old. Foster expects to return eventually to "social justice and advocacy." But right now, as the largely content stay-at-home wife of a real-estate developer, one thing's for sure: she's not looking to live like her great-grandparents.

Benevolent Sexism

Beware! It's far more insidious than old-fashioned misogyny.

By KATHERINE CONNELL



Katy Perry recently joined Taylor Swift, Yahoo CEO Marissa Mayer, and French former first lady Carla Bruni-Sarkozy in the ranks of prominent women who declined to identify themselves as feminists when prompted by reporters. Internet responses to this trend ranged from outrage over their false consciousness to snarky derision of their stupidity to concerned introspection about the failures of feminist branding.

Another possibility that should be considered is that feminism seems largely irrelevant to an increasing number of Western women because it often appears to be at odds with their experience of reality and their desires. Bruni-Sarkozy explained, “I’m not at all an active feminist. On the contrary, I’m a bourgeoisie. I love family life, I love doing the same thing every day.” Her remark is an indication of the gap that often exists between the concerns of feminism and the concerns of women, as was Mayer’s insistence in an interview that she remained unaware throughout high school that girls were supposed to be bad at math and science.

This gap shouldn’t be that surprising, since feminists aren’t particularly interested in empiricism. This is revealed every time the media write up academic research with findings that feminists deem objectionable. CNN a couple of months ago reported on a study in the peer-reviewed journal Psychological Science about the effects of ovulation on women’s voting preferences. This study was denounced as patently offensive — more offensive than, say, the Obama campaign’s telling women they should “vote like your lady parts depend on it.” In response to the backlash, CNN yanked the piece from its website, explaining that “some elements of the story did not meet the editorial standards of CNN.”

Meanwhile, last week on Slate, Amanda Marcotte began a piece decrying a study whose results she didn’t like by noting that at least it was unlike other studies whose results she

didn't like in that it avoided "theorizing that women are hard-wired to like shiny things in velvet boxes because something something caveman days." In the study, researchers surveyed 277 students at UC Santa Cruz and found that two-thirds of them "definitely" thought that men should propose marriage to women. Only 2.8 percent of the women felt that they would "kind of" want to propose to their boyfriends, and zero men felt that they would like to receive such a proposal. Marcotte worried that "this benevolent sexism . . . leeches women of much of their autonomy" and predicted that this pernicious state of affairs will persist until we "dramatically restructure our cultural understanding of gender and romance."

If you're wondering what "benevolent sexism" is and why it's a problem, don't worry — there are reams of social-science literature dedicated to addressing those questions. Here's a definition from an article by Juliet Wakefield et al. in the November issue of *Psychology of Women Quarterly* entitled, "Thanks, but No Thanks: Women's Avoidance of Help-Seeking in the Context of a Dependency-Related Stereotype": "Whereas some forms of sexism are explicitly misogynistic, others are less so, and it is common to distinguish between hostile (old-fashioned) sexism and benevolent (modern) sexism."

Rachael Robnett, the graduate student who surveyed the students at UC Santa Cruz, is also on the case. She explained to Live Science that people who hold traditional notions

about romance and marriage tend also to believe that women should be cherished and protected, which sounds nice but actually is not: It's benevolent sexism. "The flip side, which is more insidious, is that it is robbing women of some agency," she said.

Charles Murray recently highlighted another *Psychology of Women Quarterly* study on benevolent sexism in a blog post he titled, "The Bad News Is That Gentlemanly Behavior Makes People Happy." Kathleen Connelly and Martin Heesacker found that the phenomenon was "associated with life satisfaction for both women and men" and concluded: "The results imply that although benevolent sexism perpetuates inequality at the structural level, it might offer some benefits at the personal level. Thus, our findings reinforce the dangerous nature of benevolent sexism and emphasize the need for interventions to reduce its prevalence." Murray wondered, "When social scientists discover something that increases life satisfaction for both sexes, shouldn't they at least consider the possibility that they have come across something that is positive? Healthy? Something that might even conceivably be grounded in the nature of *Homo sapiens*?" That, however, would require them to accept the idea that there is such a thing as human nature, and that it is fixed.

Because benevolent sexism is so much more insidious than old-fashioned "hostile sexism," social scientists are forced to be creative in their attempts to measure it and analyze the

negative effects they know it has on women. Consider the scenario constructed by Juliet Wakefield and her colleagues in their study of how women avoid seeking help in the context of “a dependency-related stereotype.” The university women selected for the experiment are individually allowed to “overhear” a fake phone call the female researcher supposedly receives from Joe the plumber, who is working in her apartment and has moved some of her furniture around without asking. After she hangs up, she says to some of the participants in the study, “Sorry about that — my plumber is such a typical man — he thinks that women are incapable of doing anything on their own!” To the others she says, “Sorry about that, my plumber is the most impatient person in the world.” It turns out that the young women exposed to the former statement — which sounds as if it is describing something a bit more hostile than benevolent — were subsequently less likely to ask for help with solving some anagrams, and they felt bad about themselves when they did ask for help. Conclusion: “All in all, our findings underline the point that the benevolent sexism in everyday banal interactions can be consequential for women’s emotions and behavior, and is, therefore, anything but banal.”

I tried to reflect a little on whether my banal interactions with benevolently sexist men have been undermining my emotional health and affecting my behavior without my realizing it. The other day, I asked a male co-worker for assistance with a technical issue. It’s hard to know if he was

subtly robbing me of my agency, because he didn’t reply, “Oh, the network server, that’s so difficult and frustrating for a woman to grapple with. Let me do it for you,” as did the man in a script presented to students in the 2011 study “Damned if She Does, Damned if She Doesn’t: Consequences of Accepting versus Confronting Patronizing Help for the Female Target and Male Actor.” Instead, he just sent me the relevant link and went back to work.

I don’t think most women actually want to live in a world where men don’t offer to help them lug heavy suitcases up staircases or hold doors for them or propose marriage — never mind going down with the Titanic. If feminists find these things deplorable and in need of eradication, they can hardly be surprised when women fail to identify with their cause.

UNIT 6

THE FUTURE OF
LIBERTY AND
EQUALITY



SECTION 1

The Future of Liberty and Equality in America

The Place of the Constitution Today

The Constitutional Topics pages at the USConstitution.net site are presented to delve deeper into topics than can be provided on the Glossary Page or in the FAQ pages. This Topic Page concerns the ideas for rewriting the United States Constitution through history. Amendment of the Constitution is detailed in Article 5.

The primary source for this Topic is John R. Vile's *Rewriting the United States Constitution - An Examination of Proposals from Reconstruction to the Present* (Prager

Publishers, New York, NY, 1991). This book is out of print, but should be available at university libraries.

The United States Constitution has served as a framework for the government of the United States and as a guarantee of individual freedoms since 1788, but from the outset, people had ideas on how to improve on what the Framers had created in their Convention. Within 18 months, the Bill of Rights was passed, adding 10 amendments to the brand new document. From 1789 to 1992, the Constitution was amended 27 times, and through judicial review, the meaning of parts of the Constitution have changed many times.

But these changes were all relatively small, incremental, evolutionary. None are truly revolutionary, in the way the Constitution was to the Articles of Confederation. In fact, the Constitution has no provision, directly, for full-scale change. There is, however, the concept of the Amendment Convention as noted in Article 5. The power or limits of such a convention are unknown because there has never been one. It is thought, however, that a Convention would be able to

propose any change to the Constitution it decided to, including full replacement.



There have been many proposals for substantial change to the Constitution.

Thomas Jefferson himself was wary of the power of the dead over the living in the form of an unchanging Constitution. To ensure that each generation have a say in the framework of the government, he proposed that the Constitution, and each one following it, expire after 19 or 20 years. James Madison, Jefferson's contemporary, found comfort in knowing that the populace would not be thrust into political turmoil every 20 years, and noted that the way the Constitution is now structured, it implies an acceptance of the status quo unless explicitly changed.

In Rewriting the U.S. Constitution, Vile divides the various historical proposals for large-scale change chronologically. The remainder of this Topic will summarize each major division and the main points of most of the proposals. The "division headings" are Vile's.

- From Reconstruction to the Turn of the Century
- Proposals Occasioned by Progressivism and War
- Proposals from the Great Depression and the Sesquicentennial of the Constitution
- Proposals from World War II
- Proposals from the Turbulent 1960's and Early 1970's
- Reassessing the Constitution and the Presidency after Watergate
- Proposals from the Bicentennial and Their Critiques

- More Proposals from the Bicentennial to the Present
- Proposals found on the Internet

From Reconstruction to the Turn of the Century

The period following the Civil War brought several events that stirred authors to propose modifying the Constitution. Reconstruction itself, and the varied feelings of victory, defeat, and unfairness, undoubtedly contributed, as did the centennials of the Declaration and the Constitution. In addition, technology was advancing quickly, and the economy of the United States was undergoing transformation.

Charles O'Conor, a New York lawyer and politician, advanced several ideas in a series of speeches and articles in the late 1870's. Foremost on his mind was the apparent corruption and redundancy in government. His proposals included unicameral legislatures in all states and at the national level; elimination of all government debt, tariffs, and duties. He proposed that the President not be an elective office, but rather filled on a monthly basis from the body of the national legislature. He had ideas on voting, including changing it to a duty rather than a right and elimination of the secret ballot. He thought the diplomatic corps to be unnecessary with the advent of the telegraph.

Albert Stickney, a Boston lawyer, published a book in 1879 on the subject of a new Constitution. He would maintain the executive and legislative branches separately, and to allow

the members of both to serve during good behavior. This, he hoped, would put an end to the party system, which he felt undermined the democratic process. He also included the judicial branch in the election and life term idea. The office of Vice-President was eliminated, replaced by a system of succession of cabinet officers. He also eliminated Presidential veto power. The unicameral national legislature would have the authority to pass any necessary law, and had no approval power over Presidential appointments.

Woodrow Wilson, future President, wrote several papers on revising the Constitution from the late 1800's to early 1900's. One of his major proposals was to allow cabinet members to come from, and remain in, Congress. His main concern was a decline in statesmanship, and by allowing the two branches to mix, the cream would float to the top. He also proposed lengthening the term of congress people and perhaps even allowing the President to serve during good behavior. He would also allow the House to be dissolved, and expected the Senate to follow suit.

William B. Lawrence, lawyer, diplomat, and author, published an article on the Constitution in 1880. His impetus seems to be the Reconstruction and the disputed election of 1876. He advocated returning to the choosing of the President by Congress, as was first considered in the Constitutional Convention. He questioned the need for the Vice-President, the Electoral College, political conventions, and the single-person executive. He favored a system

modeled after that of the Swiss; that executive is a seven member council, the President and Vice President chosen for an annual term from that council. The members of the council are chosen by the legislature.

Henry Lockwood, New York lawyer, wrote a book in 1884 which primarily attacked the presidency. He viewed the President as an elected king, and proceeded to tear down every power of the President, from his role as commander in chief to the weakness of the cabinet. He advocated national power over the states, but used the model of the Articles of Confederation as a superior legislative model; a unicameral Congress, an executive council (whose members were appointed by Congress and could be members of Congress), and a weakened judicial branch were the highlights of his plan. Lockwood's plan was widely read, but had little impact in the long run.

Isaac Rice, political scientist, was a native of Bavaria; in 1884, he saw the Constitution as the result of a badly flawed reading of Montesquieu by the Framers; the government they created, with its strong separation of powers and the built in checks to be to the nation's detriment. While the Framers took from Montesquieu that power is the source of despotism, they ignored their own experience with the British system that the true source of despotism is the concentration of power in a single person, rather than a single body. Rice looked to Parliament as his model for a new American government.

Caspar Hopkins, a California businessman, proposed a series of changes in 1885. While praising the Constitution, he noted that with the country had outgrown many of its provisions. He proposed, for example, national standards over civil matters such as marriage and education. He melded the executive and legislative branches by making the members of the Cabinet become members of the legislature. He also proposed special education for legislators, and allowing only natural-born citizens to serve. He restricted members of the Senate to people making \$100,000 or more, restricted the vote to natural-born citizens only, and restricted immigration. He also extended all terms and abolished the Electoral College.

Goldwin Smith, lawyer and scholar, was English-born and a frequent commentator on the U.S. Constitution, and published his article in 1898. He would have modified the legislature to more of the British Parliamentary model, with a weakened Supreme Court, and clarification on taxation and tariff issues. He proposed removing the 15th Amendment, and though he says it was not to disenfranchise blacks, his comments on Eastern European immigrants belie a racist twinge.

Proposals Occasioned by Progressivism and War

The early 20th century was marked by two great political events: the rise of progressivism, and World War I. Progressivism was a movement that was concerned with some new phenomena: the rise of industry, and the rise of the

city. They touted equality of women and of the races, and supported suffrage reform and civil rights. World War I, like WW2 after it, brought some needed prosperity, but also the deaths of many American soldiers. American isolationism was a prevalent theme until the U.S. entered the war.

Walter Clark, chief justice of the North Carolina Supreme Court, published an article in 1907 which embodied progressive ideologies. His main complaint is that the Constitution is not democratic. He advocated popular election of Senators (a common theme prior to the passage of the 17th Amendment) and proportional representation in the Senate. He applauded the changes in the election of the president, but called for even more reform, including changing the Electoral College to match population ratios rather than legislative representation, and a six-year term.

Walter Tuller, California lawyer, wrote an article in 1911 advocating a convention to amend the Constitution. His primary goal was popular election of Senators. He also proposed that the amendment process be changed to allow an amendment to be ratified upon acceptance of half the states, and a change to allow the federal government more explicit control over corporations. Tuller devoted much of his paper to a discussion of the number of states that have called for a convention, and how to force one should the Congress fail to call one.

Yandell Henderson, physiology professor at Yale, was an active member of the Progressive Party. In 1913, the Yale

Review published an article he wrote that the judicial branch, and the concept of federalism, needed change on a Constitutional level. He advocated bringing the legislative and executive branches closer together, if not fused, offering a parliamentary model as his ideal. He advocated national referendum to allow the people to overturn judicial decisions. Finally, he wanted to increase the power of the federal government at the expense of the states, but he did not advocate the elimination of all state powers.

William MacDonald, journalist and scholar, wrote a critique of the Constitution in 1922. He advocated change to a parliamentary system, with term limits, encouragement of minor political parties, an executive drawn from the legislature, a popularly elected President, and the reduction of power of the President to that of a de jure head of state. His recasting of the Congress was extensive, including representation by profession as well as population. He called for specific language that made the Bill of Rights apply to the states, but he was not ready to call for the elimination of states as political entities.

Proposals from the Great Depression and the Sesquicentennial of the Constitution

The Great Depression hit the United States hard. After refusing to join Woodrow Wilson's League of Nations, the U.S. entered into another period of isolationism, content to go its own way. But the depression of the world economy showed Americans, perhaps once and for all, that there is no

true isolation. This realization, along with FDR's attempts to pack the Supreme Court, and the 150th Anniversary of the Constitution, renewed calls for widespread reform.

Charles Merriam, University of Chicago political science professor, wrote a book published in 1931. His proposals stemmed from the rising of the cities as population and political centers; he proposed reorganizing the cities into independent states, and reorganizing state boundaries to reflect regional interests. He advocated changes in the way laws were passed, treaties were ratified, and that party primaries be regulated by Congress.

The Socialist Party's 1932 platform included many proposed changes to the Constitution. One group concerned voting and elections, including popular election of the President and the ability to hold national referenda. Judicial review would be specifically barred. Worker's rights would be protected, and child labor barred; nationalization of industry would also be permitted and promoted. Finally, they advocated an easing of the requirements for ratification of constitutional amendments.

Also in 1932, William Kay Wallace, U.S. diplomat, proposed not only changing the Constitution, but replacing it wholesale. His constitution would include guarantees of economic liberty, a right to education, economic security, and leisure. He would replace the states with nine geographically-based entities, each with an equal representation in a national Board of Directors. A President

would be chosen from the Board; the new states would have similar systems. He proposed nationalizing all industry, with the government having the power of conscription even in times of peace.

Henry McKee, a California businessman, wrote a book in 1933 that melded several of the plans that had come before. His suggestions for reform are top-heavy on the business side, stressing economics and the causes of unemployment. He proposed adoption of the British political model, elevation of the Federal Reserve to Cabinet status, Ministers of various industries, such as railways and retailing, and a reform of the education system to make finances be a strong part of education.

William Elliot, a Harvard professor of political science, wrote a book in 1935 that stressed national security. He advocated a super-state political entity called a commonwealth, Presidential power to dissolve the House, Congressional selection of Presidential candidates, direct popular election of the President, a reduction in the power of the Senate, multiple vice-presidents, approval of treaties by both houses of Congress, Senators elected at a regional level as well as at-large Senators, and a strengthening of political parties.

In 1937, Malcolm Eiselin called for a new Convention to draft a replacement Constitution. His main thrust was a Parliamentary-style cabinet government, though he proposed many other reforms, such as the abolition of the electoral

college, popular referendum and initiative, reconsideration of Presidential terms, modification of the amendment process, and a redefinition of the balance of power between the states and national governments.

Ralph Cram, architect and author, offered a unique approach to Constitutional revision in 1937. He first targeted suffrage, calling for a return to property-based voting rights; he realized this "ideal" would be considered too much, and also proposed residence requirements and tying suffrage to participation in civic volunteerism. He advocated full revision of the Senate, though the House passed by largely unscathed. He modeled his president after the European monarch, with life service and the power to dissolve the legislature. He also required unanimity in any decision by the Supreme Court, replacement of the states with five or six commonwealths, and institution of titles of nobility.

Charles Coleman, with the National Council for the Social Studies, published a model constitution in 1938. It was intended for use in schools, to illustrate constitutionalism. His revision was largely semantic, with an incorporation of the amendments into the main text, rearranging the text to group like sections together, and modernizing the language. Aside from this "reorganization," several changes were recommended: elimination of the Vice-President, approval of treaties by both houses, by simple majority in each, revision of the electoral college to eliminate electors but leave the

electoral vote distribution, states were specifically prohibited from seceding, and the amendment process was modified.

Proposals from World War II

World War II gave reform-minded individuals an opportunity to take up the topic of constitutional revision yet again. With the country in a crisis, the likes of which had not been seen in generations, many thought the time to reform was now.

Henry Hazlitt, a conservative journalist, wrote a book in 1942. His main point was that the time of the War was a perfect time to contemplate changing the Constitution, and that the War was pointing out several of the Constitution's weaknesses. Like many before him, he advocated the parliamentary/cabinet model and changes in the powers of the President. The Senate would become more like the House of Lords, Senators and the President would be appointed, and Congress would have the vote of no confidence. He noted, however, that his ideal was probably too sweeping, and proposed several less severe reforms, such as elimination of the Electoral College, the line item veto, and setting a retirement age for Supreme Court justices. Above all, though, he felt the amendment process needed particular attention, recommending majority ratification over super-majorities.

Herbert Agar, one of the Twelve Southerners who wrote An Agrarian Manifesto in the 1930's, wanted to change the

Constitution to ensure the survival of civilization itself, in 1942. He was less concerned with structural changes than he was with spiritual ones. He advocated equal rights for non-whites and reform of industry. He commented on the need for a free press, and wanted reforms that would bring more people into the political process. He interestingly did not advocate a parliamentary model, but did call for changes to force the legislature and executive to work more closely together.

Alexander Hehmeyer, an attorney, wrote his book on Constitutional change in 1943. He focused on the post-war period, and wanted to be very realistic in his goals; no utopian reforms. He also thought that the war period was a perfect time to institute change, when people were in crisis mode. He also did not advocate a parliamentary model, but rather working within the current system: changes to terms; a specific, codified cabinet; a new budgeting process; ratification of treaties by a simple majority of both houses; a new "freedom from want"; a regular Constitutional Convention; making former Presidents become Senators-at-large; and so on.

Thomas Finletter, a special assistant to the Secretary of State, wrote a book published in 1945. He also focused on the post-war world. He was concerned that the current system of separation of powers was not conducive to American leadership in a peaceful post-war world. Some of his proposals required amendment and some did not. He

wanted to change House rules to allow cabinet secretaries to appear regularly before the House for a question period; to alter the seniority system; to increase the number of Congressional joint committees; to create a joint legislative-executive cabinet; and to allow treaties to be approved by the majority of both houses. To facilitate all of his proposals, he advocated making all terms and elections the same, and to allow the President to dissolve Congress and the Presidency, calling for new elections of both branches when a deadlock was reached. While this power was of the President, Congress could force his hand due to its influence on the joint cabinet. His book was written in popular, rather than scholarly, style, in hopes of gaining popular momentum for his suggestions.

Proposals from the Turbulent 1960's and Early 1970's

Civil Rights was the topic of the decades following WW2. Judicial activism clearly upset many observers as well as those holding positions of power in the government. Many people proposed changes to over turn one or two Supreme Court decisions, though calls for widespread change continued to be issued as well.

The Council of State Governments met in 1962, and adopted a platform that consisted of suggestions for several amendments that would specifically strengthen states' rights. It proposed a much state-centric method for amendment and created a "Court of the Union," which could overrule any

Supreme Court decision. The proposals of the Council were widely panned.

Dwight MacDonald wrote an article in the popular magazine Esquire in 1968, that pondered a few potential Constitutional changes. Along with the familiar parliamentary model, MacDonald removed the residency requirement for congresspeople, conscription of all males for military or social service, limited the percentage of the military allowed overseas, limited the amount Congress could spend on defense, linked continuation of the space program to the elimination of poverty, and finally redrew state lines and provided for "city-states."

The Black Panthers met in 1970, and had a convention to propose changes to the Constitution. The convention never issued a formal statement of proposed changes, but a newspaper account listed the following: a total restructuring of all political boundaries, police forces made up of community volunteers, a military made up of volunteers, free housing and health care, free child care, and a host of proposals to support communist rebels and governments. Though a good share of their proposals would seem to have little to do with the Constitution, and the proposals were tainted by the Panthers' politics, some of their proposals have eventually become reality, or been heavily debated.

History Professor Leland Baldwin wrote a book on the subject of Constitutional reform in 1972. He felt that the times demanded change, considering the war in Vietnam and

the general feeling of rebellion the early 70's had. He felt the Constitution had two conflicting constituencies it had to serve and guard against: the populace, and the legislators. He proposed redrawing the states, with powers only as granted by the federal government; a parliamentary and cabinet form of government; a complete revamping of the judiciary with pre-emptive judicial review; parties were recognized and encouraged; and the amendment process was modified.

Rexford Tugwell, an economist who worked with FDR, wrote a book finally published in 1974. It was an exhaustive tome, intended for a scholarly audience. His main concerns were that today's government bore little resemblance to that outlined in the Constitution, and that the amendment process was too rigid to allow for continual, generational change. He was also highly critical of judicial review, unsurprising considering his political roots. His plans for revision are hard to categorize. He was critical of the current system of separation of powers, but he would not have eliminated it, just refined it. He thought the President had too much power, but rather than eliminate the Presidency, he expanded the President's term and provided for two Vice-Presidents instead of just one. Senators would be appointed for life, a portion of the House was elected on a national scale, several new courts were proposed, and he added a Bill of Responsibility to the Bill of Rights.

Reassessing the Constitution and the Presidency after Watergate

Watergate was a time of deep crisis for many Americans; a crisis of confidence in the Presidency, the Legislature, in the effectiveness of the Constitution itself. Not surprisingly, there were many calls for changes in the Constitution.

Political scientist Charles Hardin published a book in 1974, in direct response to the Watergate scandal. However, he acknowledged previous contemporary authors, indicating that Watergate was not his only motivation. From the Civil War to Watergate, he saw scandals as an inevitable symptom of the structure of government provided by the Constitution. He envisioned a more Parliamentary government, with a strong party flavor. He favored equal terms for the President and Congress, with simultaneous elections and votes of no confidence; at-large members of the House; an official opposition with its own shadow cabinet; and election of the President by simple majority vote.

In a 1974 book about the Presidency, Michael Novak suggested several changes to the office. First, an opposition spokesman would be elected by the House to act in opposition to the President. This person would be legally high-profile, with equal access to the press. A process similar to Question Period would be instituted where the President and his party would answer to the opposition. The President's cabinet would be required to have a certain percentage of its members come from the opposition party. Finally, he suggested separating head-of-state and chief executive roles, providing for a decennially elected head-of-

state to represent the nation. While many of his propositions are parliamentary in nature, he did not advocate adopting a full parliamentary model, feeling that the American people would not like such a system.

Congressman Henry Reuss, of Wisconsin, proposed several changes as a result of Watergate. His main point was the introduction of a vote of no confidence, by three-fifths of the members of Congress, which would trigger new Presidential elections. A later modification would also have the vote trigger congressional elections as well. His proposal was part of a symposium held in 1974, from which ideas of several other influential politicians and historians also emerged.

Proposals from the Bicentennial and Their Critiques

The Bicentennial of the United States, 200 years after the signing of the Declaration of Independence, was a perfect opportunity to reflect on two centuries of Americanism and the documents and ideals that brought the country to that point. Combined with the freshness of Watergate and the Vietnam War, Constitutional revision again was a popular topic.

Conley Dillon, a political science professor, pushed for the creation of a Permanent Commission on Constitutional Review, a plan first put forth in 1969. His call, in 1977, was for a fifteen-member panel, to be established and populated by the President and Congress, to hold hearings on possible changes in the Constitution. Dillon listed several areas in

which he felt consideration was needed: Adjustments to the federal structure; changes in the selection and accountability of the President; terms and selection of the members of Congress; the method of judicial selection; the current distribution of power among the branches; the status of political parties; individual and group freedoms; the calling of a Constitutional Convention; and the loss of confidence in the United States Government by the American People. While Dillon listed areas that deserved attention, he did not list ways he thought they should be changed.

Former Michigan Supreme Court Chief Justice Thomas Brennan called for a Constitutional Convention in a 1982 law review article, using the upcoming Constitutional Bicentennial as the impetus. His primary desire for a convention was that it would reaffirm the individual rights of Americans and that it would reaffirm the supremacy of the states in the federal system. He also wanted to see the current Constitution rewritten with more modern language, to reflect the priorities of modern society. For example, the elimination of the requirement of jury trials for federal common-law suits, which are not even entertained in federal courts any longer, and the elimination of the two-year limit on military expenditures, which was moot considering modern annual budgets.

The Committee on the Constitutional System, which was comprised of a small group of scholars and politicians, issued its report on proposed changes to the Constitution in 1987. It

proposed six major and several minor changes. The major changes were divided into two categories: those to strengthen parties and those to increase cooperation and coordination between the executive and legislative branches. The latter are more interesting, and included allowing the President to have congress people in the cabinet, decreasing the treaty ratification requirement to a simple majority, but in both houses, and increasing House and Senate terms to four and eight years respectively. Some of the minor changes included the encouragement of a shadow cabinet, differing schedules for congressional and presidential elections, and the ability to have a vote of no confidence to force new elections.

More Proposals from the Bicentennial to the Present

After the Bicentennial came the bicentennial of the Constitution itself, and then of the Bill of Rights, providing a perfect backdrop for reflection on the efficacy, vitality, and longevity of the Constitution.

Arthur Miller, law professor at George Washington University, wrote a book published in 1987, that called for, among other things, the need for increased judicial activism. Miller reflects on the written and unwritten constitutions; one where all people are equal, another where race, gender, or economic status have profound effects on treatment; one where federalism is important, another where its importance has dwindled. While he advocates a global political system, he focuses on the United States. He advocates a unicameral, 100-member Congress, with broad national powers; an even

more powerful Supreme Court, replete with non-appellate legal review and enforcement powers; and a permanent executive council, there to advise the President. He also calls for the redrawing of state lines.

Jeremy Miller, law professor at Western State University College of Law, called for a re-evaluation of the Constitution at its 1987 bicentennial. He wanted in particular to do away with paternalistic law, a decrease in the size of government, and an increase in individual freedom. Miller even provides a draft of his proposed document, which is much more detailed than the current Constitution. For example, it goes into detail on religious freedom, defines specifically what "arms" means, details search and seizure and stop and frisk procedures, outlaws abortion, use of mechanical objects for organ transplant; interestingly, neither voting rights nor equal protection are guaranteed. Like the Chinese Constitution, among others, it also lists the duties of citizens. He similarly outlines many changes to the structure of the government, including term limits, creation of a national lottery, and legislative review of judicial review.

Proposals found on the Internet

Vile's "present" ended in 1991. Since that time, the Internet exploded onto the scene, and the ability for the common person to publish his or her own thoughts to the world have become infinitely easier than at any time in the past. Below are summaries to plans found on the Internet, with links to Web sites expounding on those plans.

Kirby Palm presents a list of suggested amendments. The categories are "Applicability" (who the Constitution and Bill of Rights applies to), "Offense and Recourse" (what constitutes a governmental violation of the Constitution and what can be done about it), and "Secession" (clarifying the process a state must take to secede from the United States).

Abe's Indignation League advocates the calling of a Constitutional Convention to address specific points. It is primarily concerned with setting a certain ethical standard to American politics, as well as clarifying and strengthening states' rights. It also proposes a rewrite of the current Constitution using more modern, understandable language, limits on spending on public projects, term limits, and campaign spending reform.

Tom Campbell, U.S. Representative from California, advocates revising the selection of Senators to make the Senate proportional. In his plan, the members of the House would elect the members of the Senate from their own ranks. Special elections would be held to replace the leaving Representatives. He notes the difficulty of circumventing the equality clause, but contends that a convention could get around it by writing a totally new Constitution.

The Campaign for Responsible Government advocates a parliamentary form of government, and includes a model document to illustrate the structure of such a government. Included are new terms, restrictions on campaign times and

spending, and a restriction on non-governmental earnings. It also includes sample state constitutions.

The U.S. Constitution for 21st Century site advocates the adoption of a new constitution for the United States for the 21st century. A quote from the site: "Unique, innovative, venerable in its time, our more than 200-year old Constitution now has become antiquated and obsolete — even detrimental and dangerous — for the nation."

The Constitution-21 site also advocates the adoption of a new constitution for the United States for the 21st century. A quote from the site: "We here strive to create the best possible model of government without reference to any reaction from this or that pressure group."

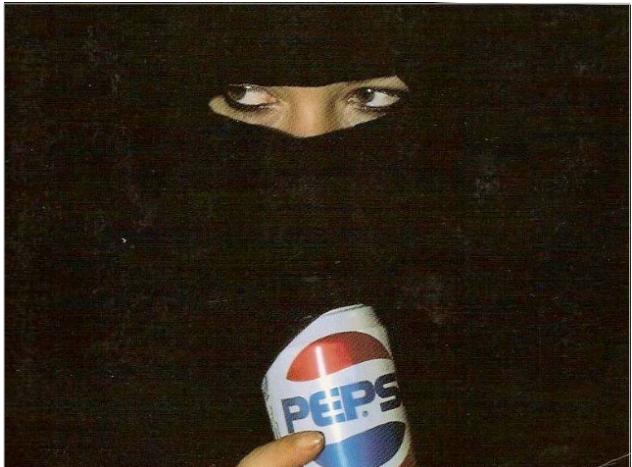
Ralph Bass has produced a list of ten amendments that he says could "bring back our government into line with our historic American political and economic values". The amendments include a term limits amendment, a defense of marriage amendment, the line-item veto, imposition of a national sales tax, and an amendment restricting "birth citizenship" to those born of two citizens.

SECTION 2

Jihad Vs. McWorld

By BENJAMIN R. BARBER

March 1, 1992



The two axial principles of our age—tribalism and globalism—clash at every point except one: they may both be threatening to democracy.

Just beyond the horizon of current events lie two possible political futures—both bleak, neither democratic. The first is a retribalization of large swaths of humankind by war and bloodshed: a threatened Lebanonization of national states in

which culture is pitted against culture, people against people, tribe against tribe—a Jihad in the name of a hundred narrowly conceived faiths against every kind of interdependence, every kind of artificial social cooperation and civic mutuality. The second is being borne in on us by the onrush of economic and ecological forces that demand integration and uniformity and that mesmerize the world with fast music, fast computers, and fast food—with MTV, Macintosh, and McDonald's, pressing nations into one commercially homogenous global network: one McWorld tied together by technology, ecology, communications, and commerce. The planet is falling precipitantly apart AND coming reluctantly together at the very same moment.

These two tendencies are sometimes visible in the same countries at the same instant: thus Yugoslavia, clamoring just recently to join the New Europe, is exploding into fragments; India is trying to live up to its reputation as the world's largest integral democracy while powerful new fundamentalist parties like the Hindu nationalist Bharatiya Janata Party, along with nationalist assassins, are imperiling its hard-won unity. States are breaking up or joining up: the Soviet Union has disappeared almost overnight, its parts forming new unions with one another or with like-minded nationalities in neighboring states. The old interwar national state based on territory and political sovereignty looks to be a mere transitional development.

The tendencies of what I am here calling the forces of Jihad and the forces of McWorld operate with equal strength in opposite directions, the one driven by parochial hatreds, the other by universalizing markets, the one re-creating ancient subnational and ethnic borders from within, the other making national borders porous from without. They have one thing in common: neither offers much hope to citizens looking for practical ways to govern themselves democratically. If the global future is to pit Jihad's centrifugal whirlwind against McWorld's centripetal black hole, the outcome is unlikely to be democratic—or so I will argue.

McWorld, or the Globalization of Politics

Four imperatives make up the dynamic of McWorld: a market imperative, a resource imperative, an information-technology imperative, and an ecological imperative. By shrinking the world and diminishing the salience of national borders, these imperatives have in combination achieved a considerable victory over factiousness and particularism, and not least of all over their most virulent traditional form—nationalism. It is the realists who are now Europeans, the utopians who dream nostalgically of a resurgent England or Germany, perhaps even a resurgent Wales or Saxony. Yesterday's wishful cry for one world has yielded to the reality of McWorld.

THE MARKET IMPERATIVE. Marxist and Leninist theories of imperialism assumed that the quest for ever-

expanding markets would in time compel nation-based capitalist economies to push against national boundaries in search of an international economic imperium. Whatever else has happened to the scientific predictions of Marxism, in this domain they have proved farsighted. All national economies are now vulnerable to the inroads of larger, transnational markets within which trade is free, currencies are convertible, access to banking is open, and contracts are enforceable under law. In Europe, Asia, Africa, the South Pacific, and the Americas such markets are eroding national sovereignty and giving rise to entities—international banks, trade associations, transnational lobbies like OPEC and Greenpeace, world news services like CNN and the BBC, and multinational corporations that increasingly lack a meaningful national identity—that neither reflect nor respect nationhood as an organizing or regulative principle.

The market imperative has also reinforced the quest for international peace and stability, requisites of an efficient international economy. Markets are enemies of parochialism, isolation, fractiousness, war. Market psychology attenuates the psychology of ideological and religious cleavages and assumes a concord among producers and consumers—categories that ill fit narrowly conceived national or religious cultures. Shopping has little tolerance for blue laws, whether dictated by pub-closing British paternalism, Sabbath-observing Jewish Orthodox fundamentalism, or no-Sunday-liquor-sales Massachusetts puritanism. In the context of

common markets, international law ceases to be a vision of justice and becomes a workaday framework for getting things done—enforcing contracts, ensuring that governments abide by deals, regulating trade and currency relations, and so forth.

Common markets demand a common language, as well as a common currency, and they produce common behaviors of the kind bred by cosmopolitan city life everywhere.

Commercial pilots, computer programmers, international bankers, media specialists, oil riggers, entertainment celebrities, ecology experts, demographers, accountants, professors, athletes—these compose a new breed of men and women for whom religion, culture, and nationality can seem only marginal elements in a working identity. Although sociologists of everyday life will no doubt continue to distinguish a Japanese from an American mode, shopping has a common signature throughout the world. Cynics might even say that some of the recent revolutions in Eastern Europe have had as their true goal not liberty and the right to vote but well-paying jobs and the right to shop (although the vote is proving easier to acquire than consumer goods). The market imperative is, then, plenty powerful; but, notwithstanding some of the claims made for "democratic capitalism," it is not identical with the democratic imperative.

THE RESOURCE IMPERATIVE. Democrats once dreamed of societies whose political autonomy rested firmly on economic independence. The Athenians idealized what

they called autarky, and tried for a while to create a way of life simple and austere enough to make the polis genuinely self-sufficient. To be free meant to be independent of any other community or polis. Not even the Athenians were able to achieve autarky, however: human nature, it turns out, is dependency. By the time of Pericles, Athenian politics was inextricably bound up with a flowering empire held together by naval power and commerce—an empire that, even as it appeared to enhance Athenian might, ate away at Athenian independence and autarky. Master and slave, it turned out, were bound together by mutual insufficiency.

The dream of autarky briefly engrossed nineteenth-century America as well, for the underpopulated, endlessly bountiful land, the cornucopia of natural resources, and the natural barriers of a continent walled in by two great seas led many to believe that America could be a world unto itself. Given this past, it has been harder for Americans than for most to accept the inevitability of interdependence. But the rapid depletion of resources even in a country like ours, where they once seemed inexhaustible, and the maldistribution of arable soil and mineral resources on the planet, leave even the wealthiest societies ever more resource-dependent and many other nations in permanently desperate straits.

Every nation, it turns out, needs something another nation has; some nations have almost nothing they need.

THE INFORMATION-TECHNOLOGY IMPERATIVE. Enlightenment science and the technologies derived from it

are inherently universalizing. They entail a quest for descriptive principles of general application, a search for universal solutions to particular problems, and an unswerving embrace of objectivity and impartiality.

Scientific progress embodies and depends on open communication, a common discourse rooted in rationality, collaboration, and an easy and regular flow and exchange of information. Such ideals can be hypocritical covers for power-mongering by elites, and they may be shown to be wanting in many other ways, but they are entailed by the very idea of science and they make science and globalization practical allies.

Business, banking, and commerce all depend on information flow and are facilitated by new communication technologies. The hardware of these technologies tends to be systemic and integrated—computer, television, cable, satellite, laser, fiber-optic, and microchip technologies combining to create a vast interactive communications and information network that can potentially give every person on earth access to every other person, and make every datum, every byte, available to every set of eyes. If the automobile was, as George Ball once said (when he gave his blessing to a Fiat factory in the Soviet Union during the Cold War), "an ideology on four wheels," then electronic telecommunication and information systems are an ideology at 186,000 miles per second—which makes for a very small planet in a very big hurry. Individual cultures speak particular languages; commerce and science

increasingly speak English; the whole world speaks logarithms and binary mathematics.

Moreover, the pursuit of science and technology asks for, even compels, open societies. Satellite footprints do not respect national borders; telephone wires penetrate the most closed societies. With photocopying and then fax machines having infiltrated Soviet universities and samizdat literary circles in the eighties, and computer modems having multiplied like rabbits in communism's bureaucratic warrens thereafter, glasnost could not be far behind. In their social requisites, secrecy and science are enemies.

The new technology's software is perhaps even more globalizing than its hardware. The information arm of international commerce's sprawling body reaches out and touches distinct nations and parochial cultures, and gives them a common face chiseled in Hollywood, on Madison Avenue, and in Silicon Valley. Throughout the 1980s one of the most-watched television programs in South Africa was *The Cosby Show*. The demise of apartheid was already in production. Exhibitors at the 1991 Cannes film festival expressed growing anxiety over the "homogenization" and "Americanization" of the global film industry when, for the third year running, American films dominated the awards ceremonies. America has dominated the world's popular culture for much longer, and much more decisively. In November of 1991 Switzerland's once insular culture boasted best-seller lists featuring *Terminator 2* as the No. 1

movie, Scarlett as the No. 1 book, and Prince's Diamonds and Pearls as the No. 1 record album. No wonder the Japanese are buying Hollywood film studios even faster than Americans are buying Japanese television sets. This kind of software supremacy may in the long term be far more important than hardware superiority, because culture has become more potent than armaments. What is the power of the Pentagon compared with Disneyland? Can the Sixth Fleet keep up with CNN? McDonald's in Moscow and Coke in China will do more to create a global culture than military colonization ever could. It is less the goods than the brand names that do the work, for they convey life-style images that alter perception and challenge behavior. They make up the seductive software of McWorld's common (at times much too common) soul.

Yet in all this high-tech commercial world there is nothing that looks particularly democratic. It lends itself to surveillance as well as liberty, to new forms of manipulation and covert control as well as new kinds of participation, to skewed, unjust market outcomes as well as greater productivity. The consumer society and the open society are not quite synonymous. Capitalism and democracy have a relationship, but it is something less than a marriage. An efficient free market after all requires that consumers be free to vote their dollars on competing goods, not that citizens be free to vote their values and beliefs on competing political candidates and programs. The free market flourished in

junta-run Chile, in military-governed Taiwan and Korea, and, earlier, in a variety of autocratic European empires as well as their colonial possessions.

THE ECOLOGICAL IMPERATIVE. The impact of globalization on ecology is a cliche even to world leaders who ignore it. We know well enough that the German forests can be destroyed by Swiss and Italians driving gas-guzzlers fueled by leaded gas. We also know that the planet can be asphyxiated by greenhouse gases because Brazilian farmers want to be part of the twentieth century and are burning down tropical rain forests to clear a little land to plough, and because Indonesians make a living out of converting their lush jungle into toothpicks for fastidious Japanese diners, upsetting the delicate oxygen balance and in effect puncturing our global lungs. Yet this ecological consciousness has meant not only greater awareness but also greater inequality, as modernized nations try to slam the door behind them, saying to developing nations, "The world cannot afford your modernization; ours has wrung it dry!"

Each of the four imperatives just cited is transnational, transideological, and transcultural. Each applies impartially to Catholics, Jews, Muslims, Hindus, and Buddhists; to democrats and totalitarians; to capitalists and socialists. The Enlightenment dream of a universal rational society has to a remarkable degree been realized—but in a form that is commercialized, homogenized, depoliticized, bureaucratized, and, of course, radically incomplete, for the movement

toward McWorld is in competition with forces of global breakdown, national dissolution, and centrifugal corruption. These forces, working in the opposite direction, are the essence of what I call Jihad.

Jihad, or the Lebanonization of the World

OPEC, the World Bank, the United Nations, the International Red Cross, the multinational corporation...there are scores of institutions that reflect globalization. But they often appear as ineffective reactors to the world's real actors: national states and, to an ever greater degree, subnational factions in permanent rebellion against uniformity and integration—even the kind represented by universal law and justice. The headlines feature these players regularly: they are cultures, not countries; parts, not wholes; sects, not religions; rebellious factions and dissenting minorities at war not just with globalism but with the traditional nation-state. Kurds, Basques, Puerto Ricans, Ossetians, East Timoreans, Quebecois, the Catholics of Northern Ireland, Abkhazians, Kurile Islander Japanese, the Zulus of Inkatha, Catalonians, Tamils, and, of course, Palestinians—people without countries, inhabiting nations not their own, seeking smaller worlds within borders that will seal them off from modernity.

A powerful irony is at work here. Nationalism was once a force of integration and unification, a movement aimed at bringing together disparate clans, tribes, and cultural fragments under new, assimilationist flags. But as Ortega y

Gasset noted more than sixty years ago, having won its victories, nationalism changed its strategy. In the 1920s, and again today, it is more often a reactionary and divisive force, pulverizing the very nations it once helped cement together. The force that creates nations is "inclusive," Ortega wrote in *The Revolt of the Masses*. "In periods of consolidation, nationalism has a positive value, and is a lofty standard. But in Europe everything is more than consolidated, and nationalism is nothing but a mania..."

This mania has left the post-Cold War world smoldering with hot wars; the international scene is little more unified than it was at the end of the Great War, in Ortega's own time. There were more than thirty wars in progress last year, most of them ethnic, racial, tribal, or religious in character, and the list of unsafe regions doesn't seem to be getting any shorter. Some new world order!

The aim of many of these small-scale wars is to redraw boundaries, to implode states and resecure parochial identities: to escape McWorld's dully insistent imperatives. The mood is that of Jihad: war not as an instrument of policy but as an emblem of identity, an expression of community, an end in itself. Even where there is no shooting war, there is fractiousness, secession, and the quest for ever smaller communities. Add to the list of dangerous countries those at risk: In Switzerland and Spain, Jurassian and Basque separatists still argue the virtues of ancient identities, sometimes in the language of bombs. Hyperdisintegration in

the former Soviet Union may well continue unabated—not just a Ukraine independent from the Soviet Union but a Bessarabian Ukraine independent from the Ukrainian republic; not just Russia severed from the defunct union but Tatarstan severed from Russia. Yugoslavia makes even the disunited, ex-Soviet, nonsocialist republics that were once the Soviet Union look integrated, its sectarian fatherlands springing up within factional motherlands like weeds within weeds within weeds. Kurdish independence would threaten the territorial integrity of four Middle Eastern nations. Well before the current cataclysm Soviet Georgia made a claim for autonomy from the Soviet Union, only to be faced with its Ossetians (164,000 in a republic of 5.5 million) demanding their own self-determination within Georgia. The Abkhazian minority in Georgia has followed suit. Even the good will established by Canada's once promising Meech Lake protocols is in danger, with Francophone Quebec again threatening the dissolution of the federation. In South Africa the emergence from apartheid was hardly achieved when friction between Inkatha's Zulus and the African National Congress's tribally identified members threatened to replace Europeans' racism with an indigenous tribal war. After thirty years of attempted integration using the colonial language (English) as a unifier, Nigeria is now playing with the idea of linguistic multiculturalism—which could mean the cultural breakup of the nation into hundreds of tribal fragments. Even Saddam Hussein has benefited from the threat of internal Jihad, having used renewed tribal and religious

warfare to turn last season's mortal enemies into reluctant allies of an Iraqi nationhood that he nearly destroyed.

The passing of communism has torn away the thin veneer of internationalism (workers of the world unite!) to reveal ethnic prejudices that are not only ugly and deep-seated but increasingly murderous. Europe's old scourge, anti-Semitism, is back with a vengeance, but it is only one of many antagonisms. It appears all too easy to throw the historical gears into reverse and pass from a Communist dictatorship back into a tribal state.

Among the tribes, religion is also a battlefield. ("Jihad" is a rich word whose generic meaning is "struggle"—usually the struggle of the soul to avert evil. Strictly applied to religious war, it is used only in reference to battles where the faith is under assault, or battles against a government that denies the practice of Islam. My use here is rhetorical, but does follow both journalistic practice and history.) Remember the Thirty Years War? Whatever forms of Enlightenment universalism might once have come to grace such historically related forms of monotheism as Judaism, Christianity, and Islam, in many of their modern incarnations they are parochial rather than cosmopolitan, angry rather than loving, proselytizing rather than ecumenical, zealous rather than rationalist, sectarian rather than deistic, ethnocentric rather than universalizing. As a result, like the new forms of hypernationalism, the new expressions of religious fundamentalism are fractious and pulverizing, never

integrating. This is religion as the Crusaders knew it: a battle to the death for souls that if not saved will be forever lost.

The atmospherics of Jihad have resulted in a breakdown of civility in the name of identity, of comity in the name of community. International relations have sometimes taken on the aspect of gang war—cultural turf battles featuring tribal factions that were supposed to be sublimated as integral parts of large national, economic, postcolonial, and constitutional entities.

The Darkening Future of Democracy

These rather melodramatic tableaux vivants do not tell the whole story, however. For all their defects, Jihad and McWorld have their attractions. Yet, to repeat and insist, the attractions are unrelated to democracy. Neither McWorld nor Jihad is remotely democratic in impulse. Neither needs democracy; neither promotes democracy.

McWorld does manage to look pretty seductive in a world obsessed with Jihad. It delivers peace, prosperity, and relative unity—if at the cost of independence, community, and identity (which is generally based on difference). The primary political values required by the global market are order and tranquillity, and freedom—as in the phrases "free trade," "free press," and "free love." Human rights are needed to a degree, but not citizenship or participation—and no more social justice and equality than are necessary to promote efficient economic production and consumption.

Multinational corporations sometimes seem to prefer doing business with local oligarchs, inasmuch as they can take confidence from dealing with the boss on all crucial matters. Despots who slaughter their own populations are no problem, so long as they leave markets in place and refrain from making war on their neighbors (Saddam Hussein's fatal mistake). In trading partners, predictability is of more value than justice.

The Eastern European revolutions that seemed to arise out of concern for global democratic values quickly deteriorated into a stampede in the general direction of free markets and their ubiquitous, television-promoted shopping malls. East Germany's Neues Forum, that courageous gathering of intellectuals, students, and workers which overturned the Stalinist regime in Berlin in 1989, lasted only six months in Germany's mini-version of McWorld. Then it gave way to money and markets and monopolies from the West. By the time of the first all-German elections, it could scarcely manage to secure three percent of the vote. Elsewhere there is growing evidence that glasnost will go and perestroika—defined as privatization and an opening of markets to Western bidders—will stay. So understandably anxious are the new rulers of Eastern Europe and whatever entities are forged from the residues of the Soviet Union to gain access to credit and markets and technology—McWorld's flourishing new currencies—that they have shown themselves willing to trade away democratic prospects in

pursuit of them: not just old totalitarian ideologies and command-economy production models but some possible indigenous experiments with a third way between capitalism and socialism, such as economic cooperatives and employee stock-ownership plans, both of which have their ardent supporters in the East.

Jihad delivers a different set of virtues: a vibrant local identity, a sense of community, solidarity among kinsmen, neighbors, and countrymen, narrowly conceived. But it also guarantees parochialism and is grounded in exclusion. Solidarity is secured through war against outsiders. And solidarity often means obedience to a hierarchy in governance, fanaticism in beliefs, and the obliteration of individual selves in the name of the group. Deference to leaders and intolerance toward outsiders (and toward "enemies within") are hallmarks of tribalism—hardly the attitudes required for the cultivation of new democratic women and men capable of governing themselves. Where new democratic experiments have been conducted in retribalizing societies, in both Europe and the Third World, the result has often been anarchy, repression, persecution, and the coming of new, noncommunist forms of very old kinds of despotism. During the past year, Havel's velvet revolution in Czechoslovakia was imperiled by partisans of "Czechland" and of Slovakia as independent entities. India seemed little less rent by Sikh, Hindu, Muslim, and Tamil

infighting than it was immediately after the British pulled out, more than forty years ago.

To the extent that either McWorld or Jihad has a NATURAL politics, it has turned out to be more of an antipolitics. For McWorld, it is the antipolitics of globalism: bureaucratic, technocratic, and meritocratic, focused (as Marx predicted it would be) on the administration of things—with people, however, among the chief things to be administered. In its politico-economic imperatives McWorld has been guided by laissez-faire market principles that privilege efficiency, productivity, and beneficence at the expense of civic liberty and self-government.

For Jihad, the antipolitics of tribalization has been explicitly antidemocratic: one-party dictatorship, government by military junta, theocratic fundamentalism—often associated with a version of the Fuhrerprinzip that empowers an individual to rule on behalf of a people. Even the government of India, struggling for decades to model democracy for a people who will soon number a billion, longs for great leaders; and for every Mahatma Gandhi, Indira Gandhi, or Rajiv Gandhi taken from them by zealous assassins, the Indians appear to seek a replacement who will deliver them from the lengthy travail of their freedom.

The Confederal Option

How can democracy be secured and spread in a world whose primary tendencies are at best indifferent to it (McWorld)

and at worst deeply antithetical to it (Jihad)? My guess is that globalization will eventually vanquish retribalization. The ethos of material "civilization" has not yet encountered an obstacle it has been unable to thrust aside. Ortega may have grasped in the 1920s a clue to our own future in the coming millennium.

"Everyone sees the need of a new principle of life. But as always happens in similar crises—some people attempt to save the situation by an artificial intensification of the very principle which has led to decay. This is the meaning of the 'nationalist' outburst of recent years....things have always gone that way. The last flare, the longest; the last sigh, the deepest. On the very eve of their disappearance there is an intensification of frontiers—military and economic."

Jihad may be a last deep sigh before the eternal yawn of McWorld. On the other hand, Ortega was not exactly prescient; his prophecy of peace and internationalism came just before blitzkrieg, world war, and the Holocaust tore the old order to bits. Yet democracy is how we remonstrate with reality, the rebuke our aspirations offer to history. And if retribalization is inhospitable to democracy, there is nonetheless a form of democratic government that can accommodate parochialism and communitarianism, one that can even save them from their defects and make them more tolerant and participatory: decentralized participatory democracy. And if McWorld is indifferent to democracy, there is nonetheless a form of democratic government that

suits global markets passably well—representative government in its federal or, better still, confederal variation.

With its concern for accountability, the protection of minorities, and the universal rule of law, a confederalized representative system would serve the political needs of McWorld as well as oligarchic bureaucratism or meritocratic elitism is currently doing. As we are already beginning to see, many nations may survive in the long term only as confederations that afford local regions smaller than "nations" extensive jurisdiction. Recommended reading for democrats of the twenty-first century is not the U.S. Constitution or the French Declaration of Rights of Man and Citizen but the Articles of Confederation, that suddenly pertinent document that stitched together the thirteen American colonies into what then seemed a too loose confederation of independent states but now appears a new form of political realism, as veterans of Yeltsin's new Russia and the new Europe created at Maastricht will attest.

By the same token, the participatory and direct form of democracy that engages citizens in civic activity and civic judgment and goes well beyond just voting and accountability—the system I have called "strong democracy"—suits the political needs of decentralized communities as well as theocratic and nationalist party dictatorships have done. Local neighborhoods need not be democratic, but they can be. Real democracy has flourished in diminutive settings: the spirit of liberty, Tocqueville said, is

local. Participatory democracy, if not naturally apposite to tribalism, has an undeniable attractiveness under conditions of parochialism.

Democracy in any of these variations will, however, continue to be obstructed by the undemocratic and antidemocratic trends toward uniformitarian globalism and intolerant retribalization which I have portrayed here. For democracy to persist in our brave new McWorld, we will have to commit acts of conscious political will—a possibility, but hardly a probability, under these conditions. Political will requires much more than the quick fix of the transfer of institutions. Like technology transfer, institution transfer rests on foolish assumptions about a uniform world of the kind that once fired the imagination of colonial administrators. Spread English justice to the colonies by exporting wigs. Let an East Indian trading company act as the vanguard to Britain's free parliamentary institutions. Today's well-intentioned quick-fixers in the National Endowment for Democracy and the Kennedy School of Government, in the unions and foundations and universities zealously nurturing contacts in Eastern Europe and the Third World, are hoping to democratize by long distance. Post Bulgaria a parliament by first-class mail. Fed Ex the Bill of Rights to Sri Lanka. Cable Cambodia some common law. Yet Eastern Europe has already demonstrated that importing free political parties, parliaments, and presses cannot establish a democratic civil society; imposing a free market

may even have the opposite effect. Democracy grows from the bottom up and cannot be imposed from the top down. Civil society has to be built from the inside out. The institutional superstructure comes last. Poland may become democratic, but then again it may heed the Pope, and prefer to found its politics on its Catholicism, with uncertain consequences for democracy. Bulgaria may become democratic, but it may prefer tribal war. The former Soviet Union may become a democratic confederation, or it may just grow into an anarchic and weak conglomeration of markets for other nations' goods and services.

Democrats need to seek out indigenous democratic impulses. There is always a desire for self-government, always some expression of participation, accountability, consent, and representation, even in traditional hierarchical societies. These need to be identified, tapped, modified, and incorporated into new democratic practices with an indigenous flavor. The tortoises among the democratizers may ultimately outlive or outpace the hares, for they will have the time and patience to explore conditions along the way, and to adapt their gait to changing circumstances. Tragically, democracy in a hurry often looks something like France in 1794 or China in 1989.

It certainly seems possible that the most attractive democratic ideal in the face of the brutal realities of Jihad and the dull realities of McWorld will be a confederal union of semi-autonomous communities smaller than nation-states,

tied together into regional economic associations and markets larger than nation-states—participatory and self-determining in local matters at the bottom, representative and accountable at the top. The nation-state would play a diminished role, and sovereignty would lose some of its political potency. The Green movement adage "Think globally, act locally" would actually come to describe the conduct of politics.

This vision reflects only an ideal, however—one that is not terribly likely to be realized. Freedom, Jean-Jacques Rousseau once wrote, is a food easy to eat but hard to digest. Still, democracy has always played itself out against the odds. And democracy remains both a form of coherence as binding as McWorld and a secular faith potentially as inspiriting as Jihad.