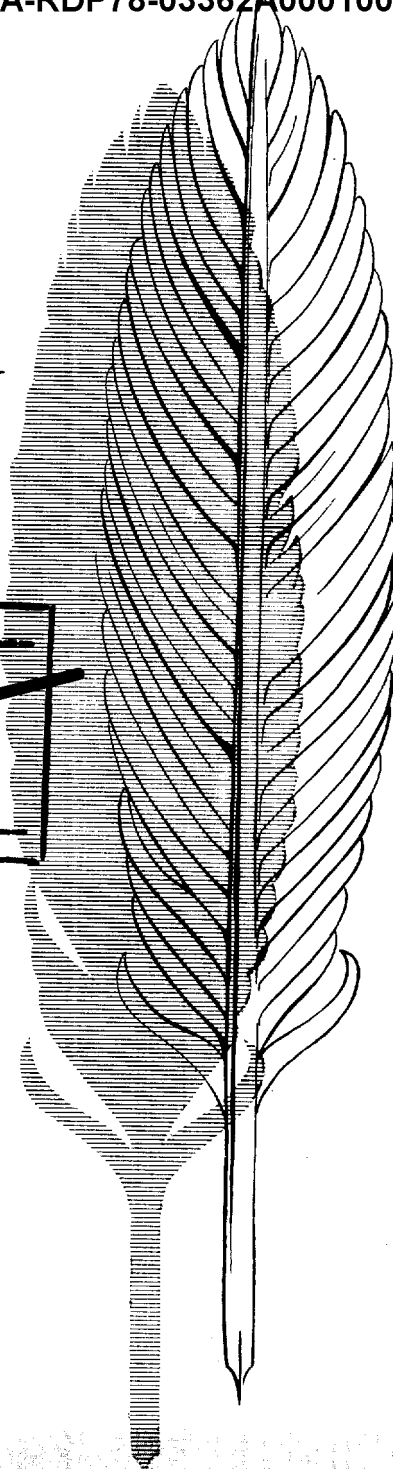
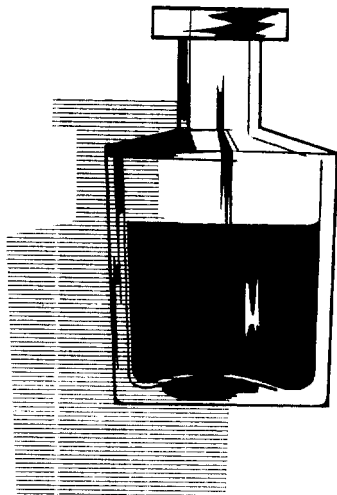


AN AMERICAN THESIS

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AMERICAN THESIS

Most Americans are never called upon to state their understanding of the social, cultural, economic and political characteristics of their country; nor do they find themselves in positions of having to explain and justify such characteristics as are peculiar to Americans.

However, as the result of the role which the United States is playing in the world today, an ever increasing number of individuals must be able to spell out their interpretations of the American thesis. This is particularly true of government representatives who travel, work, and reside abroad.

The American thesis is compounded of a number of significant elements: freedom of expression, representative government, and an economic apparatus flexible enough to meet new challenges as they appear. These and other elements are predicated on the supposition that the human individual is supremely valuable. Such a belief, transmitted to the New World by means of the civilization of Western Europe, is the ideological legacy of Judean-Hellenist-Christian thought. It is the antithesis of the concept of a collectivistic society.

Contrary to a basic tenet of totalitarian thought, Americans hold that the mechanism of the state exists solely for the purpose of translating the principle of the supreme value of the individual into the

realm of practical affairs. Of necessity, therefore, men acting through the agency of the state must determine how the principle may be preserved and strengthened in practice.

Under the pressure of changing economic and political conditions new challenges constantly arise in our society. Since most of these challenges are unique and since we make no pretext of having neatly-tailored formulas on hand for resolving them, considerable experimentation is necessary. Continuing experimentation involves, naturally enough, the possibility of making errors. Such errors are cited by the enemies of democracy as the marks of inefficiency; conversely, they maintain that authoritarianism is efficient. Without adequately examining the facts of the matter, many Americans fall into the trap to the extent of agreeing that inefficiency is a concomitant of freedom. Actually, the supposition that totalitarianism is relatively more efficient has not been proved by history; it only appears to be borne out because defenders of totalitarianism advance formulas which presumably will fit any eventuality. And one of the most attractive aspects of totalitarian theory is that a simple, dogmatic solution seems often the easiest way out of a complicated problem.

Because there are as many interpretations of the American thesis as there are Americans, the expression of an American's philosophy is not likely to be either neat or dogmatic. Since it is far more difficult to express an individualistic interpretation than a definitive body of

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doctrine, many Americans consider themselves incapable of explaining our characteristics and values to those who must understand America if we are to win friends abroad in the present struggle for men's minds.

The succeeding sections are presented simply to introduce some areas of the American thesis which have caused difficulty for Americans travelling and working abroad. An adequate knowledge of the events which have marked our development and of the people who have helped make America what it is today can be gained only by an independent examination of the source materials of American history.

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SECTION I

BASIC DOCUMENTS

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BASIC DOCUMENTS

The Declaration of Independence and the Constitution make up the documents essential to an understanding of the American system of government. Since there is a tendency among Americans to take them for granted, a periodic rereading of these documents would make every one of us more aware of their significance.

Although conditions and the times have changed considerably since 1776, the fundamental values inherent in the Declaration of Independence are still our essential beliefs.

And a basic understanding of the Constitution will afford the American citizen a key to the complicated political and economic problems of our troubled times; such an understanding is absolutely necessary in the formulation of an enlightened electorate.

The Declaration of Independence (July 4, 1776)

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 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 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.

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.

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.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

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.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws of Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil Power.

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:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

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 in these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Government:

For suspending our own Legislature, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

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.

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.

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 attention 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 the 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.

The Constitution of the United States

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.

Art. I

Sec. 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.

Sec. 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.

Sec. 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.

Sec. 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.

Sec. 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.

Sec. 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 increased 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.

Sec. 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.

Sec. 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.

Sec. 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.

Sec. 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 its 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.

Art. II

Sec. 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 encreased 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."

Sec. 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.

Sec. 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.

Sec. 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.

Art. III

Sec. 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.

Sec. 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.

Sec. 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.

Art. IV

Sec. 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.

Sec. 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 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.

Sec. 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.

Sec. 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.

Art. 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 it's equal Suffrage in the Senate.

Art. 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.

Art. 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.

[Articles of Amendment to the Constitution. The first ten, known as the Bill of Rights, were adopted in 1791, to assure individuals of the protection of their rights as against the central government. The Eleventh was adopted in 1798, the Twelfth in 1804.]

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.

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.

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.

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.

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.

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.

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.

VIII

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

IX

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

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.

XI

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.

XII

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 the 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.

[The three Articles following, sometimes known as the Civil War Amendments, were adopted respectively in 1865, 1868, and 1870.]

XIII

Sec. 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.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

XIV

Sec. 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.

Sec. 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.

Sec. 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.

Sec. 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.

Sec. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

XV

Sec. 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.
Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

[The six Articles following, sometimes known as the Reform Amendments, were adopted respectively in 1913, 1913, 1919, 1920, 1933, and 1933.]

XVI

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.

XVII

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 the 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 appointment 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.

XVIII

Sec. 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.

Sec. 2. The Congress and the several States shall have the concurrent power to enforce this article by appropriate legislation.

Sec. 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.

XIX

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.

XX

Sec. 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d 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.

Sec. 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.

Sec. 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.

Sec. 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.

Sec. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Sec. 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.

XXI

Sec. 1. The eighteenth article of amendment to the Constitution of the United States hereby repealed.

Sec. 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.

Sec. 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.

XXII

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 the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the 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.

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SECTION II

THE ROLE OF THE INDIVIDUAL IN AMERICA

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THE ROLE OF THE INDIVIDUAL IN AMERICA

If there is a single postulate upon which the American system of government is founded it is the idea that the human individual is supremely valuable. The first ten amendments to the Federal Constitution, the so-called Bill of Rights, explicitly affirm individual rights which were conceived by the Founding Fathers as inherent in every human being.

The notion of inherent or natural rights did not originate with Madison, Jefferson and their colleagues; it had a notable tradition in the philosophy of Western Europe, particularly in that of Great Britain. Perhaps the best known of the British political philosophers whose ideas were read and accepted by the Founding Fathers was John Locke (1632-1704). Basic in Locke's most important works, Essay Concerning Human Understanding and Two Treatises of Civil Government, are the ideas that any government is but a necessary evil, and that no government which would deprive man of his natural rights should be tolerated.

From the founding of the American Republic to the present day there have been numerous practical denials of the concept of the supremacy of the human individual. The perpetuation of the system of Negro slavery for a period of three quarters of a century after the birth of the republic is a notable case in

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point. Yet very few contemporary Americans would insist as did John C. Calhoun a little over a century ago that the Negro is of less inherent value than the white man. Despite continuing injustices resulting from the practical neglect of the concept, the basic premise is as real and as meaningful to contemporary political leaders as it was to members of the First Continental Congress. If our society ever reaches a point at which the concept is officially denied or at which we cease to strive for its practical realization, we will have lost sight of a principle basic to our American way of life.

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Thomas Paine (1737-1809)

Perhaps the most effective propagandist of the American Revolution was English-born Thomas Paine, pamphleteer par excellence. Unlike the aristocratic Jefferson, Paine sprang directly from the common people. As a result of his humble origins he was ideally suited to interpret the political philosophy of John Locke and other notable English theorists for the average Anglo-American colonist. In The Rights of Man Paine expressed his view of the relationship between the individual and the state.

Individuals themselves, each in his own personal and sovereign right, entered into a compact with each other to produce a government: and this is the only mode in which governments have a right to arise, and the only principle on which they have a right to exist. (The Rights of Man, Part I: 1791.)

Ralph Waldo Emerson (1803-1882)

To Ralph Waldo Emerson the popular American version of the doctrine of the free individual was the beginning, rather than the end, of social philosophy. As a philosopher Emerson rejected all systems which emphasized the many; he developed an interpretation of life which was robustly optimistic and highly individualistic. Perhaps nowhere else in his writings is his emphasis on individualism more clear than in his notable essay Self-Reliance.

Let a man then know his worth, and keep things under his feet. Let him not peep or steal, or skulk up and down with the air of a charity-boy, a bastard, or an

interloper in the world which exists for him. But the man in the street, finding no worth in himself which corresponds to the force which built a tower or sculptured a marble god, feels poor when he looks on these. To him a palace, a statue, or a costly book have an alien and forbidding air, much like a gay equipage, and seem to say like that, "Who are you, Sir?" Yet they all are his, suitors for his notice, petitioners to his faculties that they will come out and take possession. The picture waits for my verdict; it is not to command me, but I am to settle its claims to praise. That popular fable of the sot who was picked up dead-drunk in the street, carried to the duke's house, washed and dressed and laid in the duke's bed, and, on his waking, treated with all obsequious ceremony like the duke, and assured that he had been insane, owes its popularity to the fact that it symbolizes so well the state of man, who is in the world a sort of sot, but now and then wakes up, exercises his reason and finds himself a true prince. (Self-Reliance: 1841.)

Henry David Thoreau (1817-1862)

One of the most individualistic thinkers and writers of a highly individualistic age was Henry David Thoreau. Many of his writings were marked by hostility toward what he deemed the unjustified expansion of government at the expense of the individual. His views were colored particularly by such events as the Mexican War, a war which he felt was fought simply to enrich the slavocracy. It was in direct opposition to the southern expansionism of the 1840's that Thoreau penned his now famous pamphlet "Resistance to Civil Government," a resounding statement of individual rights.

Government is an expedient by which men would fain succeed in letting one another alone; and when it is most expedient, the governed are most let alone by it.

The progress from an absolute to a limited monarchy, from a limited monarchy to a democracy, is a progress toward a true respect for the individual. Is a democracy, such as we know it, the last improvement possible in government? Is it not possible to take a step further toward recognizing and organizing the rights of man? There will never be a really free and enlightened State, until the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly. ("Resistance to Civil Government" in Aesthetic Papers: 1849.)

Lord Bryce (1838-1922)

About a century after the creation of the United States there was published a comprehensive analysis of American institutions and character by an extraordinarily perceptive Englishman. The work was The American Commonwealth by James Bryce, historian and diplomat. In general Lord Bryce was very favorably impressed with America; in particular he understood individualism to be at the basis of the American way of life.

The State governments of 1776 and the National government of 1789 started from ideas, mental habits, and administrative practice generally similar to those of contemporary England.... Everything tended to make the United States in this respect more English than England, for the circumstances of colonial life, the process of settling the western wilderness, the feelings evoked by the struggle against George III., all went to intensify individualism, the love of enterprise, and the pride in personal freedom. And from that day to this, individualism, the love of enterprise, and the pride in personal freedom, have been deemed by Americans not only their choicest, but their peculiar and exclusive possessions. (The American Commonwealth, Part V: 1888.)

Harold Laski (1893-1950)

Harold Laski, British socialist and theoretician of the Labour

Party, was certainly no friend of laissez-faire capitalism. At times his criticism of America rankled as deeply as had Charles Dickens' a century earlier. Yet in his volume The American Democracy Laski expressed admiration for the American experiment as a whole and for American individualism in particular.

In its essence, American individualism, as Tocqueville encountered it, was a sense of freedom born of the knowledge that no barriers denied the citizen's right to move forward. That sense of freedom gave him hope and energy and that faith in ever-widening horizons which bespeaks the capacity of adaptation to change. No doubt the hold of this idea of equality has waxed and waned at different periods in American history. But the permanent reality it has thus far implied is as evident in the letters of Crèvecoeur at the beginning of the republic's history as in the poetry of Walt Whitman or in that remarkable speech of Franklin Roosevelt when he accepted the office of president for the first time. It is the affirmation that no American need fear anything save fear itself; and the real safeguard against fear is the principle of equality. It is surely a significant thing that each party in the history of the United States, the Communist Party included, has always claimed to inherit this tradition; and it cannot, indeed, die so long as there are Americans, men and women alike, who seek to enforce its reality in each successive age. (The American Democracy, pp. 718-719: 1948.)

Thomas Vernor Smith (1890-)

Thomas Vernor Smith, American teacher of philosophy, has written widely on the subjects of America and democracy. Perhaps his greatest single contribution to an understanding of the American thesis is his ability to popularize the ideas basic to the democratic way of life.

No majority will be of the democratic state of mind with reference to minorities until it sees through the group miasma to the individuals who make up the minorities. No minority will be of the democratic state of mind with reference to the majority, or indeed with reference to other minorities, until it sees through the group miasmas to the individuals who constitute the majority and who make up all minority groups. It is the individual who stands always at the heart of the entire enterprise. He alone can invest anything with a state of mind, because he alone has a mind. He alone can invest anybody with tenderness, wistfulness, pathos; because he alone has a heart. (The Democratic Way of Life, p. 18: 1951.)

Alfred North Whitehead (1861-1947)

Possessing one of the great seminal minds of Western philosophy, English-born Alfred North Whitehead found time during a long career of teaching in England and the United States to make penetrating comments on American society. His analysis on "The Permanence of Change" emphasizes the danger to individual rights which may result from a sense of complacency.

My fear for humanity is that we may lose it. One of the few places where it is still free is here in the United States. I don't say there aren't ways in which you could improve. I think there are regions where you would do well to reduce your rate of murders, - but even allowing for Chicago at its worst, in the 1920's, before your authorities stepped in and put a stop to it, life in general, your life, my life, is less subject to interference and less in danger here than any place else on earth. It is only in certain happy ages and lands that conditions are favorable to the development of talent - Greece in the fifth and fourth centuries B.C. was one; Rome in the first century was another; and even then the range of talent elicited by the temporarily favorable conditions is a limited one; not nearly the whole range of potential talents or of gifted individuals receives the needed encouragement. And when those fortunate times do come, we don't know how to keep them going. ("The Permanence of Change" in The Atlantic: April 1954.)

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SECTION III

DEMOCRACY IN AMERICA

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DEMOCRACY IN AMERICA

A system of government within which all individuals are treated as equals before the law is a relatively new human experience. Although as a result of a combination of circumstances such a country as England was able to grow into democracy, the attempt to found a new nation on the democratic principle of equality before the law was unique at the time the American Constitution was drafted. The adoption of such a constitutional system was the result of extending the concept of the supreme value of the individual to its logical conclusion; the adoption of any other system would have made a mockery of that fundamental postulate.

When Thomas Jefferson declared in the Declaration of Independence "...that all men are created equal...", he did not mean to imply that all men were equally endowed by nature with intelligence, character or material goods; he meant only that all men were equal before the law. The founding fathers were far too practical to insist that creating a democracy involved levelling down everyone to a prescribed standard. So they tempered the democratic element by designing a system in which the individual was left ample freedom to develop so long as he did not interfere with the activities of his fellow citizens. Naturally interpretations of what constitutes

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interference have varied as the combination of political, economic, and human conditions have changed. Despite these changes democracy has remained the cornerstone upon which the American constitutional system has developed.

Thomas Jefferson (1743-1826)

More than any other American of his dramatic age, Thomas Jefferson was the spokesman of liberalism and Americanism. While he was a political philosopher of the first order, he was also pre-eminently a successful political leader. Despite criticism from his federalist opponents that he was hopelessly visionary, he never failed to recognize that the development of his ideal America was subject to practical considerations. Nothing was essentially more practical than his espousal of democracy: it was simply the best of a series of evils.

...And where else will...[one]...find the origin of just power, if not in the majority of the society? Will it be in the minority? Or in the individual of that minority? (Letter to Major John Cartwright: June 5, 1824.)

John Marshall (1755-1835)

Born on the Virginia frontier and possessing only a very fragmentary formal education, John Marshall sat as Chief Justice of the United States Supreme Court from 1801 until his death in 1835. During this period he wrote some of the most significant legal precedents in our history, and succeeded in raising the Supreme Court from an ignominious position to one of power and majesty. Despite continuing pressure from anti-democratic elements Justice Marshall never wavered in his decision that the Constitution was an instrument of, by and for the people.

The government of the Union, then, is emphatically and truly a government of the people. In form and in substance it emanates from them. Its powers are granted by them, and are to be exercised directly on them and for their benefit. (McCulloch vs. Maryland: 1819.)

John Quincy Adams (1767-1848)

John Quincy Adams had a truly remarkable record of service to the American Republic: member of the diplomatic corps, Secretary of State, sixth president of the United States, and finally Congressman from Massachusetts. Although as president he suffered political attacks which grew more and more personal and although he lacked the winning personality of a master politician, he never lost his faith in democracy and constitutional government.

While dwelling with pleasing satisfaction upon the superior excellence of our political institutions, let us not be unmindful that liberty is power; that the nation blessed with the largest portion of liberty must in proportion to its numbers be the most powerful nation upon earth, and that the tenure of power by man is, in the moral purposes of his Creator, upon condition that it shall be exercised to ends of beneficence, to improve the condition of himself and his fellowmen. (First Message to Congress: 1825.)

Alexis de Tocqueville (1805-1859)

Alexis de Tocqueville, French liberal politician and writer, was one of the most perceptive and sympathetic observers of the American experiment. Reviewing in his monumental Democracy in America the advantages and disadvantages of living in the United States in the 1830's, he cast an eloquent affirmative vote for democracy.

When the rich alone govern, the interest of the poor is always endangered; and when the poor make the laws, that of the rich incurs very serious risks. The advantage of democracy does not consist, therefore, as has sometimes been asserted, in favoring the prosperity of all, but simply in contributing to the well-being of the greatest possible number.-ibid. ("The Real Advantages that American Society Derives from Democratic Government" in Democracy in America: 1835.)

Abraham Lincoln (1809-1865)

One of Abraham Lincoln's truly great qualities was his ability to understand the hopes and fears of the average man. No American president has ever been more clearly aware that he was the product of the democratic process. And he never ceased to view his position of responsibility as a stewardship entrusted to him by the people.

Most governments have been based, practically, on the denial of the equal rights of men...; ours began by affirming those rights. They said, some men are too ignorant, and vicious to share in government. Possibly so, said we; and, by your system, you would always keep them ignorant, and vicious. We proposed to give all a chance; and we expected the weak to grow stronger, the ignorant, wiser; and all better, and happier together.

We made the experiment; and the fruit is before us. Look at it - think of it....(Fragment from Writings: July 1, 1854?)

Walt Whitman (1819-1892)

"The Good Gray Poet," perhaps more than any other American writer, was the spokesman for an ebullient and optimistic America. Both in his poetry and in his prose Walt Whitman expressed confidence in American democracy. Born in Long Island, New York, Whitman

worked as a school teacher, a newspaper reporter, a laborer, a government clerk, and a volunteer hospital worker in Washington during the Civil War; obviously such a wide-range of experiences increased his understanding of the democratic process and the American people.

The purpose of democracy -- supplanting old belief in the necessary absoluteness of establish'd dynastic rulership, temporal, ecclesiastic, and scholastic, as furnishing the only security against chaos, crime, and ignorance -- is, through many transmigrations, and amid endless ridicules, arguments, and ostensible failures, to illustrate, at all hazards, this doctrine or theory that man, properly trained in sanest, highest freedom, may and must become a law, and series of laws, unto himself, surrounding and providing for, not only his own personal control, but all his relations to other individuals, and to the State; and that, while other theories, as in the past histories of nations, have proved wise enough, and indispensable perhaps for their conditions, this, as matters now stand in our civilized world, is the only scheme worth working from, as warranting results like those of Nature's laws, reliable, when once establish'd to carry on themselves. (Democratic Vistas: 1870.)

Thomas Woodrow Wilson (1856-1924)

In his first Inaugural Address Woodrow Wilson, scholar turned political reformer, reaffirmed his philosophy of the New Freedom which he had enunciated during the presidential campaign. Since he had read and written extensively on the problems of the American democracy, he was in an especially favorable position to restore democratic practices where they seemed to be faltering. His address on the New Freedom is one of the most notable statements of democratic faith in our political literature.

The hope of the United States in the present and in the future is the same that it has always been: it is the hope and confidence that out of unknown homes will come men who will constitute themselves the masters of industry and of politics. The average hopefulness, the average welfare, the average enterprise, the average initiative, of the United States are the only things that make it rich. We are not rich because a few gentlemen direct our industry; we are rich because of our own intelligence and our own industry. America does not consist of men who get their names into the newspapers; America does not consist politically of the men who set themselves up to be political leaders; she does not consist of the men who do most of her talking, - they are important only so far as they speak for that great voiceless multitude of men who constitute the great body and the saving force of the nation. Nobody who cannot speak the common thought, who does not move by the common impulse, is the man to speak for America, or for any of her future purposes. Only he is fit to speak who knows the thoughts of the great body of citizens, the men who go about their business every day, the men who toil from morning till night, the men who go home tired in the evenings, the men who are carrying on the things we are so proud of. ("Life Comes from the Soil" in The New Freedom: 1913.)

Bernard Augustine DeVoto (1897-)

Born in Ogden, Utah Bernard Augustine DeVoto has served as a college professor and a writer both of fiction and non-fiction. In his capacity as a self-styled "village atheist" he has offered much valuable criticism of our society. As editor of "The Easy Chair" column in Harper's Magazine he has commented at length on the American scene.

Sure the people are stupid; the human race is stupid.
Sure Congress is an inefficient instrument of government.
But the people are not stupid enough to abandon representative government for any other kind, including government by the guy who knows. They have just had to fight their worst war to get three such governments out of the way, and may

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have to fight another one to dispose of a fourth. And bad as our system is, it is more effective than those governments. Their system has been tried repeatedly since Plato (a little liberal who understood that the people are stupid) first proposed it and in the end it never works. They are efficient at starting wars but not much else. I'd rather have the efficiency at finishing them, as we have always shown we have, and at keeping the train on the tracks, as we have done. It may be a crude criterion but we are the oldest form of government now operating: we have outlasted every other political system in the world. ("The Easy Chair" in Harper's Magazine: November 1950.)

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SECTION IV

THE AMERICAN POLITICAL SYSTEM

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THE AMERICAN POLITICAL SYSTEM

Essentially the American political system is a system based upon law: the Federal Constitution and interpretations derived therefrom. In order to avoid the authoritarian patterns so common among eighteenth century governments of Europe, the Founding Fathers created a system with an elaborate set of checks and balances. By means of such a device as the careful separation of executive, legislature and judiciary, they hoped to insure against the ascendancy of an authoritarian executive or legislature. Also basic to the scheme of checks and balances was the federal system, in which the political authority is divided among self-governing parts and the central whole, each operating within a specified sphere of action.

The Constitution set up a representative democracy. Unlike a "pure" democracy, where the custom is practicable only among small units involved with simple issues, voters in a representative democracy wield influence through officials selected to express and enforce their will. Also included in the American system are the use of such forms as the initiative, referendum and recall, which give the American citizen a more or less direct voice in his government.

While the American constitutional framework has not been altered significantly since 1789, governmental forms and functions have changed greatly. Governments at all levels, particularly the federal government,

have grown enormously: the electorate has expanded until it includes virtually all adults, both men and women; political parties have come to be indispensable adjuncts to government; and the presidency has attained a commanding position, threatening at times to upset the delicate balances painstakingly erected by the Founders of the Republic.

There are a number of reasons as to why the forms and functions have changed so significantly. First, there has been a tremendous growth of population, particularly since 1900. Second, America has possessed natural resources in sufficient quantity to assure successful large-scale industrialization. Third, the rise to a position of a super-power has brought with it an inevitable involvement in a series of costly world wars and depressions. These and many other factors have marked the expansion of government in all areas.

Despite significant changes in the forms and functions of government the Federal Constitution remains the supreme law of the land; any step taken by a political group must be viewed against the backdrop of the Constitution. It is the responsibility of each and every American citizen both to understand the Constitution as it was originally conceived and to take particular note of the developments of the last 165 years.

John Adams (1735-1826)

Born in Boston and educated at Harvard College John Adams was truly one of the giants of the American Revolution. There is little doubt that during the bustling 1770's Adams earned the title of "the Atlas of American Independence." It was he who carried the difficult fight for the Declaration of Independence, for which neither the Congress nor the people as a whole were entirely ready. As a political philosopher Adams made significant contributions to the infant Republic. In his Thoughts on Government he emphasized the value of a separation of powers in general and an independent judiciary in particular.

The dignity and stability of government in all its branches, the morals of the people, and every blessing of society depends [sic] so much upon an upright and skillful administration of justice that the judicial power ought to be distinct from both the legislative and executive, and independent from both, as both should be checks upon that. The judges, therefore, should be always men of learning and experience in the laws, of exemplary morals, great patience, calmness, coolness, and attention. Their minds should not be distracted with jarring interest; they should not be dependent upon any man, or body of men. To these ends, they should hold estates for life in their offices; or, in other words, their commissions should be during good behavior, and their salaries ascertained and established by law. (Thoughts on Government: 1776.)

George Washington (1732-1799)

No one during the Revolution believed in the cause of American nationalism more completely than George Washington. In the face of seemingly insuperable obstacles he worked tirelessly for coordinated effort among the thirteen colonies. Yet even after the experiences of five years of such an effort, Washington in 1781 was not at all sure that the impulse

toward union was stronger than it had been in 1776. In the following letter he expressed his dissatisfaction on the matter of political cooperation.

Certain I am that unless Congress speaks in a more decisive tone; unless they are vested with powers by the several States competent to the great purposes of War, or assume them as matter of right; and they, and the states respectively, act with more energy than they hitherto have done, that our Cause is lost. We can no longer drudge on in the old way. By ill-timing the adoption of measures, by delays in the execution of them, or by unwarrantable jealousies, we incur enormous expences, and derive no benefit from them. One state will comply with a requisition of Congress, another neglects to do it, a third executes it by halves, and all differ either in the manner, the matter, or so much in point of time, that we are always working up hill, and ever shall be (while such a system as the present one, or rather want of one prevails) unable to apply our strength or resources to any advantage.

This my dear Sir is plain language to a member of Congress; but it is the language of truth and friendship. It is the result of long thinking, close application, and strict observation. I see one Army branching into thirteen; and instead of looking up to Congress as the supreme controuling power of the United States, are considering themselves as dependent on their respective States. In a word, I see the powers of Congress declining too fast for the consequence and respect which is due to them as the grand representative body of America, and am fearful of the consequences of it. (Letter to Joseph Jones, a delegate from Virginia to the Continental Congress: May 31, 1781.)

James Madison (1751-1836)

Even before the Declaration of Independence was signed a committee to draw up articles of confederation had been appointed by the Continental Congress. But where the political issue of independence was settled very quickly, the formal sanction of confederation was not realized until 1781. Then, as the deficiencies and weaknesses of the Articles became more and more apparent, there was a growing awareness among the

political leaders that a stronger central government was needed. In answer to this need the Constitution was framed and presented for the approval of the several states in 1787. During the ensuing controversy over the adoption of the Constitution, Alexander Hamilton, James Madison, and John Jay penned a series of supporting letters, which was published in various New York newspapers and later collected in book form as The Federalist. Few if any other publicists applied history, political philosophy, and logic with more effect did these three men. In Number 39 James Madison sought to explain how the proposed government would be both federal and national in scope.

If we try the Constitution by its last relation to the authority by which amendments are to be made, we find it neither wholly NATIONAL nor wholly FEDERAL. Were it wholly national, the supreme and ultimate authority would reside in the MAJORITY of the people of the Union; and this authority would be competent at all times, like that of a majority of every national society, to alter or abolish its established government. Were it wholly federal, on the other hand, the concurrence of each State in the Union would be essential to every alteration that would be binding on all. The mode provided by the plan of the convention is not founded on either of these principles. In requiring more than a majority, and particularly in computing the proportion by STATES, not by CITIZENS, it departs from the NATIONAL and advances towards the FEDERAL character; in rendering the concurrence of less than the whole number of States sufficient, it loses again the FEDERAL and partakes of the NATIONAL character.

The proposed Constitution, therefore, is, in strictness, neither a national nor a federal Constitution, but a composition of both. In its foundation it is federal, not national; in the sources from which the ordinary powers of the government are drawn, it is partly federal and partly national; in the operation of these powers, it is national, not federal; in the extent of them, again, it is federal, not national; and, finally, in the authoritative mode of introducing amendments, it is neither wholly federal nor wholly national. (Number 39 of The Federalist: 1788.)

John Marshall (1755-1835)

Appointed Chief Justice of the United States Supreme Court in 1801, John Marshall repeatedly used his position to affirm the principle that the central government was a national government. By his intellectual force and prestige he made the judiciary an advocate of the concept of national authority at a time when the executive and the legislature were more inclined to emphasize national limitations than national strengths. His decision in the case of *Cohens v. Virginia* was perhaps typical of his many affirmations of national power.

That the United States form, for many and for most important purposes, a single nation, has not yet been denied. In war we are one people. In making peace we are one people. In all commercial regulations we are one and the same people. In many other respects the American people are one, and the government which is alone capable of controlling and managing their interests in all these respects, is the government of the Union. It is their government, and in that character they have no other. America has chosen to be, in many respects, and to many purposes, a nation; and for all these purposes her government is complete; to all these objects it is competent. The people have declared that in the exercise of all the powers given for these objects it is supreme. It can, then, in effecting these objects, legitimately control all individuals or governments within the American territory. The constitution and laws of a State, so far as they are repugnant to the constitution and laws of the United States, are absolutely void. These States are constituent parts of the United States. They are members of one great empire—for some purposes sovereign, for some purposes subordinate. (*Cohens v. Virginia*: 1821.)

Andrew Jackson (1767-1845)

Fundamental in the nature of every government is the extent of its legitimate authority. Not every American accepted Chief Justice Marshall's interpretation of the Constitution that the national

government could control all governments within its territory. In 1832, as a result of a complicated set of circumstances, South Carolina asserted her "right" to suspend the operation of the federal tariff. President Andrew Jackson's answer was prompt and decisive: he warned the people of South Carolina that they must not exercise this pretended right and he reminded them that the statutes enacted under the Constitution were "the supreme law of the land."

The States severally have not retained their entire sovereignty. It has been shown that in becoming parts of a nation, not members of a league, they surrendered many of their essential parts of sovereignty. The right to make treaties, declare war, levy taxes, exercise exclusive judicial and legislative powers, were all of them functions of sovereign power. The States, then, for all these important purposes were no longer sovereign. The allegiance of their citizens was transferred, in the first instance, to the Government of the United States; they became American citizens and owed obedience to the Constitution of the United States and to laws made in conformity with the powers it vested in Congress. This last position has not been and can not be denied. How, then, can that State be said to be sovereign and independent whose citizens owe obedience to laws not made by it and whose magistrates are sworn to disregard those laws when they come in conflict with those passed by another? (Proclamation of President Andrew Jackson: December 10, 1832.)

William Henry Seward (1801-1872)

As the political and economic gulf between the North and South continued to widen, the doctrine of states rights was enunciated more and more frequently. During the Senate debates leading up to the Compromise of 1850 John C. Calhoun, able and brilliant South Carolinian, restated the Southern interpretation of the Constitution, an interpretation which challenged the right of the Congress to appropriate territories in the

West. During the most heated part of the controversy William Henry Seward, Senator from New York and later Lincoln's Secretary of State, reaffirmed the northern position that the National Government was ultimately sovereign.

Even senators speak of the Union as if it existed only by consent, and, as it seems to be implied, by the assent of the legislatures of the states. On the contrary, the union was not founded in voluntary choice, nor does it exist by voluntary consent.

A union was proposed to the colonies by Franklin and others, in 1754; but such was their aversion to an abridgment of their own importance, respectively, that it was rejected even under the pressure of a disastrous invasion by France.

A union of choice was proposed to the colonies in 1775; but so strong was their opposition, that they went through the war of independence without having established more than a mere council of consultation.

But with independence came enlarged interests of agriculture—absolutely new interests of manufactures—interests of commerce, of fisheries, of navigation, of a common domain, of common debts, of common revenues and taxation, of the administration of justice, of public defence, of public honor; in short, interests of common nationality and sovereignty—interests which at last compelled the adoption of a more perfect union—a National Government....

The Union, then, is, not because merely that men chose that it shall be, but because some government must exist here, and no other government than this can. If it could be dashed to atoms by the whirlwind, the lightning, or the earthquake, today, it would rise again in all its just and magnificent proportions tomorrow. This nation is a globe, still accumulating upon accumulation, not a dissolving sphere. (Extract from Speech by William H. Seward: March 11, 1850.)

Abraham Lincoln (1809-1865)

While there were a number of recognized causes for the American Civil War, the official reason that the United States resorted to a test of arms was the preservation of the Constitution. As a lawyer thoroughly

familiar with the Constitution, President Lincoln insisted throughout the course of the war that the Constitutional issue was of overriding significance. In a letter to Horace Greeley, antislavery editor of the New York "Tribune," Lincoln stated the purpose of the administration in prosecuting the war:

I would save the Union. I would save it the shortest way under the Constitution. The sooner the national authority can be restored; the nearer the Union will be "the Union as it was." If there be those who would not save the Union, unless they could at the same time save slavery, I do not agree with them. If there be those who would not save the Union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone I would also do that. What I do about slavery, and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union. I shall do less whenever I shall believe what I am doing hurts the cause, and I shall do more whenever I shall believe doing more will help the cause. I shall try to correct errors when shown to be errors; and I shall adopt new views so fast as they shall appear to be true views.

I have here stated my purpose according to my view of official duty; and I intend no modification of my oft-expressed personal wish that all men everywhere could be free. (Letter from Abraham Lincoln to Horace Greeley: August 22, 1862.)

James Bryce (1838-1922)

Despite the violent wrenches to which the American Constitution had been subjected during and after the Civil War, by the 1880's the political system had regained much of its lost equilibrium. While there were people who felt that the traditional balance of power was in a constant state of jeopardy, others considered that the republican system was

working quite effectively. In his American Commonwealth Lord Bryce, English historian and diplomat, expressed the latter point of view.

The scales of power have continued to hang fairly even. The President has not corrupted and enslaved Congress: Congress has not paralyzed and cowed the President. The legislature may have gained somewhat on the executive department; yet were George Washington to return to earth, he might be as great and useful a President as he was a century ago. Neither the legislature nor the executive has for a moment threatened the liberties of the people. The States have not broken up the Union, and the Union has not absorbed the States....Objections may be taken to particular features, and these objections point, as most American thinkers are agreed, to practical improvements which would preserve the excellences and remove some of the inconveniences.... ("General Observations on the Frame of National Government" in The American Commonwealth: 1888.)

Carl Brent Swisher (1897-)

One of the leading contemporary interpreters of the American Constitution, Carl Brent Swisher is Professor of Political Science at John Hopkins University. In his extended studies of our political history Professor Swisher has pointed out the tremendous strength and resilience of our constitutional system.

For those who have doubts about the survival of our constitutional system, some reassurance may lie in the fact that the government of the United States and its relations to persons and property have always been in transition and that the system has survived in spite of periodic forebodings and predictions of disaster. Members of the Federalist party who yielded power to the Jefferson administration were buried in despair. Daniel Webster, Joseph Story, and others lamented the evil times upon which the country had fallen with the accession of Jacksonian democracy. Southern statesmen preferred extinction to the prospect of national life dominated by the North. Justice Stephen J. Field predicted that the monetary heresies of the post-Civil-War period would bring ruin to the nation. Justice James C. McReynolds declared in 1935 that the Constitution was gone. In short, at every turning-point in American history, reputable persons and groups have been convinced

that the nation faced unavoidable and irreparable disaster. Nevertheless, the American people and the American constitutional system have managed so to adjust themselves to the conditions prevailing at different periods as to survive without major disaster. In the light of this past experience it does not seem excessive optimism to assume that the presence of apparently insoluble problems upon the horizon should not be taken as a dependable omen that the days of our constitutional system are numbered. It is a reasonable generalization, indeed, that the strength of the American constitutional system has lain, not so much in the particular provisions of the Constitution as in the adaptability of the people and of the constitutional system to new conditions. Survival may well depend, not so much upon what happens to the United States at the hands of foreign nations, or of groups, individuals, or organizations within the country, as upon preservation of the essentials of our youthfulness—qualities which carry with them stamina and flexibility to meet new conditions as they arise. (The Constitution Today and Tomorrow, p. 1029: 1943.)

Denis William Brogan (1900-)

Born in Glasgow, Scotland and educated at Glasgow, Oxford and Harvard.

Denis William Brogan is now Professor of Political Science at Cambridge.

As an occasional resident of the United States, Dr. Brogan has subjected

American institutions to much scholarly scrutiny. In The American

Character he expressed his admiration for the practical value of the

republican system of the United States.

The framers of the American Constitution put as their first aim the provision of the political means to "a more perfect union." They did not aim at perfect union, at the ironing-out of all regional differences, at the destruction of all regional independence. One of the organizers of the movement that led to framing the Constitution did, indeed, want complete union, did want to abolish local autonomy. But the ideas of Alexander Hamilton were so remote from any possibilities in the America of 1787 that they were more or less politely ignored by his colleagues, and Hamilton left the Convention in disgust. When the Constitution was put before the people, Hamilton was an effective fighter for it and as the first Secretary of the Treasury he helped to get the machine running. But he was not a maker of the Constitution

because he thought it was not good enough, that what the United States needed was complete union, the fusion of the thirteen states into a unitary body politic.

Although Hamilton did not get his way, it was not necessarily a silly way. For the weak federal government that went into operation in 1789, like the strong federal government in operation in 1944, was a clumsy method of carrying on the business of the American people if all that is to be done is to carry on that business. It is clumsy to have the machinery of the government in forty-nine units: the States, and the Union. It is clumsy to have the powers of the federal government loosely defined, so that they are constantly matters of controversy, so that many things are not done because it is uncertain what organ of the government has the legal power to do them. It is at best inconvenient that the uncontested powers of the federal government are divided among a President, a Senate, and a House of Representatives, and that the question what power is where is decided by the majority of a Supreme Court of nine members. A government so organized must often be slow and uncertain in its action, indeed sometimes be incapable of action or, at any rate, incapable of action in time to meet the situation. The existence of an irreducible minimum of power in forty-eight states causes grave inconvenience, since it means that law and political practice vary from state to state. And some of those states are small in area, or in population, or in both; some are also the results of historical accidents; some break up the natural unity of geographical areas in a way to horrify a geopolitician or a political realist of the type that abolishes ancient European nations in an editorial. It is absurd that the empty mountain state of Nevada should be able both to make a good thing out of its lax divorce laws and to hold the United States to ransom to buy its other main asset, silver, at an exorbitant price. It is absurd that the three counties that make up Delaware should be empowered to charter corporations to do business all over the Union on terms more profitable to the corporation's controllers than to the body politic. It is absurd that the New York harbor area should be under the control of two states and the federal government, and that the pride of Arizona should hold up, for years at a time, the development of water-power that southern California badly needs.

But to cure these absurdities it would be necessary to impose on three million varied square miles a central authority strong enough to suppress local objections. But such a government would have a pretty free hand in deciding what local objections it decided to suppress--and such a government would be too strong for local liberties, so the American people decided in 1789 and have kept deciding since. (The American Character, pp. 92-93: 1944.)

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SECTION V

THE AMERICAN ECONOMY

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THE AMERICAN ECONOMY

Over the course of almost a century and three quarters the American economy has undergone considerable change. Since most eighteenth century Americans were advocates of a laissez-faire theory of economics, early interpretations of the Constitution tended to deny the government much of a possibility of regulating the business affairs of its citizens. Despite such devices as the protective tariff and the national bank the federal government was conspicuous by its absence from the business scene.

But even such an outspoken advocate of laissez faire as Thomas Jefferson recognized that as industry gradually supplanted agriculture, complicated economic problems would replace comparatively simple issues. The tremendous industrial surge of the second half of the nineteenth century made a realization of Jefferson's worst fears. In a comparatively short time the United States became one of the foremost industrial powers of the earth. By 1900 general economic conditions had changed significantly: with the disappearance of free fertile land the farming frontier had come to an end; to a considerable extent Americans had become urban dwellers, no longer self-sufficient but dependent upon the vagaries of distant markets; political and economic conditions throughout the world were reflected in changes in the American economy. Instead of insisting as had their grandfathers that the government restrict itself to matters of diplomacy and war, the

American farmer and industrial laborer demanded that their legislators protect their interests, even at the risk of interfering in private enterprise.

Today the average American is subject to government regulation to an extent that his great-grandfather would have considered an intolerable invasion of individual rights. Yet changing economic conditions have dictated that government assume a more positive position. These changes have been made by means of the democratic process, consonant with constitutional government.

Undoubtedly the greatest problem which confronts government and industry alike is the question of where legitimate private initiative ends and where interference in the common good begins. Since economic conditions change very rapidly and since no two situations are identical in all their particulars, no hard and fast rules can be made. The best solution that a democracy can hope to achieve is to treat each problem as it arises and to adjust its economy to meet new demands as they appear.

Thomas Jefferson (1743-1826)

Shortly after the Federal Constitution began to function it became plain that Thomas Jefferson, Secretary of State, and Alexander Hamilton, Secretary of the Treasury, held divergent views as to its proper functions. In expounding his philosophy of economics Hamilton subjected the Constitution to an interpretation broad enough to allow for the implementation of his protective tariff and national bank plans. Jefferson, on the other hand, held to a narrow or strict interpretation, refusing to acknowledge that implied powers might permit the federal government to pass laws favoring American manufactures. Regardless of their differences both men were significantly influenced by the classical school of laissez-faire economists. Both were in agreement that every American ought to be left free from government regulation to pursue his livelihood. In his first Inaugural Address Jefferson expressed this point of view with considerable facility.

A wise and frugal government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.
(First Inaugural Address: 1801.)

Andrew Jackson (1767-1845)

While most Americans of the first half of the nineteenth century still held to the laissez-faire theory of economics, growing industrializa-

tion tended to complicate the economic relationship between man and government. There were evidences by 1830 that government was being used as a device to extend favors to special interests at the expense of the people as a whole. Convinced that the Second National Bank was an instrument of the financial aristocrats and that it menaced the people's control of their government, President Andrew Jackson vetoed the bill which Congress had previously passed for the rechartering of the Bank. His veto message expressed in no uncertain terms the attitude of a chief executive who had come to political power as a result of a combination of votes of western farmers and eastern industrial laborers.

It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes. Distinctions in society will always exist under every just government. Equality of talents, of education, or of wealth can not be produced by human institutions. In the full enjoyment of the gifts of Heaven and the fruits of superior industry, economy, and virtue, every man is equally entitled to protection by law; but when the laws undertake to add to these natural and just advantages artificial distinctions, to grant titles, gratuities, and exclusive privileges, to make the rich richer and the potent more powerful, the humble members of society--the farmers, mechanics, and laborers--who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustices of their Government. There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection, and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing. In the act before me there seems to be a wide and unnecessary departure from these just principles. (Andrew Jackson's Bank Veto Message: 1832.)

Abraham Lincoln (1809-1865)

The product of a frontier economy where every man had ample opportunity to succeed, Abraham Lincoln reflected what was still essentially a laissez-faire attitude toward government regulation of private enterprise. Although as chief executive during the Civil War he was familiar with the strengths and weaknesses of northern industry, he did not live long enough to see the beginnings of a legislative program to prohibit the excesses of private enterprise. Yet he knew at first hand the plight of the northern laborer caught in the coils of a depression cycle, and he often expressed a deep-seated sympathy for the problems of the man who earned his bread by the sweat of his brow. His campaign speech of 1860 at New Haven reflected his basic optimism in the strength and resilience of the American economy.

What is the true condition of the laborer? I take it that it is best to leave each man free to acquire property as fast as he can. Some will get wealthy. I don't believe in a law to prevent a man from getting rich; it would do more harm than good. So while we don't propose any war upon capital, we do wish to allow the humblest man an equal chance to get rich with anybody else. When one starts poor, as most do in the race of life, free society is such that he knows he can better his condition; he knows that there is no fixed condition of labor for his whole life....I want every man to have a chance - and I believe a black man is entitled to it - in which he can better his condition - when he may look forward and hope to be a hired laborer this year and the next, work for himself afterwards, and finally to hire men to work for him. That is the true system. (Campaign Speech: 1860.)

Thomas Woodrow Wilson (1856-1924)

From a country which was predominantly agricultural in 1865 to one which was an industrial power of the first order in 1914, the United States

underwent a tremendous transformation in the period of a half-century. This basic change in the American economy complicated the heretofore relatively simple relationship of government and private industry. Few Americans indeed, regardless of their political affiliations, argued in 1914 that the Interstate Commerce Commission was unconstitutional; regulation of the excesses of individual initiative had come to be recognized as necessary. One of the ablest American presidents in the realm of economic theory was Woodrow Wilson. President Wilson's apprenticeship in the academic world gave him special preparation for an adequate understanding of the economic problems which beset twentieth century America.

Human freedom consists in perfect adjustments of human interests and human activities and human energies. Now, the adjustments necessary between individuals, between individuals and the complex institutions amidst which they live, and between those institutions and the government, are infinitely more intricate today than ever before. Life has become complex; there are many more elements, more parts, to it than ever before. And, therefore, it is harder to keep everything adjusted - and harder to find out where the trouble lies when the machine gets out of order. You know that one of the most interesting things that Mr. Jefferson said in those early days of simplicity which marked the beginnings of our government was that the best government consisted in as little governing as possible. And there is still a sense in which that is true. It is still intolerable for the government to interfere with our individual activities except where it is necessary to interfere with them in order to free them. But I feel confident that if Jefferson were living in our day he would see what we see: that the individual is caught in a great confused nexus of all sorts of complicated circumstances, and that to let him alone is to leave him helpless as against the obstacles with which he has to contend; and that, therefore, law in our day must come to the assistance of the individual. It must come to his assistance to see that he gets fair play;

that is all, but that is much. Without the watchful interference, the resolute interference, of the government, there can be no fair play between individuals and such powerful institutions as the trusts. Freedom to-day is something more than being let alone. The program of a government of freedom must in these days be positive, not negative merely. ("The Liberation of a People's Vital Energies" in The New Freedom: 1913.)

Christian Gauss (1878-1951)

Many people subjected the phenomenon of the New Deal to searching examination. One of the most perceptive of American observers was Christian Gauss. In A Primer for Tomorrow Professor Gauss expressed the attitude of many respected university teachers that the New Deal was a democratic answer to tremendous, new economic challenges.

When we turn from recent events to America's future, one thing is certain: The only form of government to which our people will submit must be one which recognizes a much closer connection between economic and political rights than has ever existed in the past. A government that is not to be overthrown by revolutionary movements must guarantee the right to self-support. For better or worse, it is now recognized as antecedent to the right to liberty and to the pursuit of happiness. The Roosevelt administration recognizes this and all succeeding administrations will probably have to. Never again will it be possible to explain to the citizens in a democracy that a depression and its accompanying unemployment are the result of the working of inexorable economic laws. For better or worse, the modern man, with that love of freedom which our earlier culture had fostered, will no longer accept this denial of his independence. There is in history no reason why he should. (A Primer for Tomorrow: 1934.)

Franklin Delano Roosevelt (1882-1945)

Accused by his political opponents of imposing a socialistic order on the American economy, Franklin Delano Roosevelt insisted that the New Deal was essentially an experimental device by means of which free

enterprise in America would be preserved. In either case most Americans felt with President Roosevelt that the economic difficulties of 1933 warranted the invasion by the federal government of a domain that had hitherto been considered private. President Roosevelt's justification for this invasion was as follows:

In the early days of the Republic our life was simple. There was little need of formal arrangements, or of Government interest, or action, to insure the social and economic well-being of the American people. In the life of the pioneer, sympathy and kindly help, ready co-operation in the accidents and emergencies of the frontier life were the spontaneous manifestation of the American spirit. Without them the conquest of a continent could never have been made.

Today that life is gone. Its simplicity has vanished and we are each and all of us, whether we like it or not, parts of a social civilization which ever tends to greater complexity. And in these later days, the imperiled well-being, the very existence of large numbers of our people, have called for measures of organized Government assistance which the more spontaneous and personal promptings of a pioneer generosity could never alone have obtained. Our country is indeed passing through a period which is urgently in need of ardent protectors of the rights of the common man. Mechanization of industry and mass production have put unparalleled power in the hands of the few. No small part of our problem today is to bring the fruits of this mechanization and mass production to the people as a whole. (Speech: June 10, 1936.)

Frederick Lewis Allen (1890-1954)

Author of a number of volumes dealing with twentieth century America, and a former editor of the Atlantic Monthly and Harper's Magazine, the late Frederick Lewis Allen delineated the American scene with intelligence and optimism. Throughout his writings the idea prevailed that we could adjust our economy continually, that we need not bind

ourselves to a fixed and definitive body of economic theory.

Many people argued then — and should have gone on arguing — that the United States ought to have a conservative party and a liberal party (or radical party, if you wish), each with its neat, logical program, instead of two very similar parties each shopping for winning ideas and compromise. Many people argued then — and some still argue today — that economic reform by patchwork is illogical and timid, and that what is needed is an uprising of the dissatisfied to effect a total transformation of the apparatus of business and industry. Both those ideas ran strongly for a time and then weakened. Roosevelt's third party, the Progressive party, made a strong bid in 1912 and then disintegrated, leaving the other parties to take over the more popular planks of its platform. The Socialists gained ground and then lost it again. For both ideas would have favored the division of the American people into classes, and both would have run counter to their pragmatic temper.

The idea that won out was that the existence of sharply defined economic and social classes was to be resisted as an offense to the American democratic ideal. That you got along much better when people of all sorts and conditions worked together for what seemed to them the benefit of all. That the way to deal with a proletariat was not either to suppress and bedevil it, or to help it to overthrow its masters, but to give it a chance at education, opportunity, automobiles, and vacuum cleaners, with plenty of instruction in the middle-class way of living and plenty of incentive to want more and more of these good things; and then in due course the proletariat might be a proletariat no more, but a body of upstanding, self-respecting citizens who could be counted on to help keep the nation in good running order. And that when you found something amiss with the way things functioned you examined what was happening and pragmatically made the necessary changes and no more. That the people who thought the machine would stop dead if you tinkered with it were wrong, and the people who thought you could invent out of hand a new machine that wouldn't knock somewhere were also wrong. The American citizenry saw the benefits of continual, co-operative, experimental, untheoretical change.

There would be ferocious debate over every proposed reform. There would be endless friction all along the way. There would be eras of new experiment and eras of consolidation and re-examination. But an America which had seemed to many people to be headed toward a reign of plutocracy seemed likely to be able to remake itself, by slow degrees, into something nearer the democratic dream, and to do this by something approaching the common consent of free men. (The Big Change: 1952.)

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SECTION VI

FREEDOM OF SPEECH

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FREEDOM OF SPEECH

Among other guarantees of human rights the First Amendment to the Constitution provides that "...Congress shall make no law...abridging the freedom of speech...."

Freedom of speech is essential to a representative democratic government. Even under the limited representative governments of the several American colonies such orators as Patrick Henry of Virginia and Samuel Adams of Massachusetts deemed it their right to express opinions which often were not held by a majority of their fellow men.

In general the intent of the freedom of speech provision, which has since been extended to state governments, is to secure the unrestricted discussion of public affairs.

Certainly there have been times in the history of the Republic when the practice of free speech has been severely curtailed. During periods when serious threats are posed to the existence of the country there is a tendency to restrict freedom of speech. The advocacy of the violent overthrow of the Constitution always poses a difficult question: should free speech be allowed to destroy the principle upon which it is based? Since it is difficult to draw a line between permissible restraint and freedom, attempts have been made to find a satisfactory formula upon which to base judicial decisions. Although no single formula has taken

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shape, nor perhaps should we expect or hope to find one, two schools of thought have emerged. One school contends that utterances are illegal, if they have a "bad tendency," while the more tolerant school insists that the rule should be "clear and present danger." In recent years the latter view has met with more judicial favor.

Today the principle of speech continues to offer a guarantee that the minority point of view will be heard, even if that point of view be unpopular to the point of being loathsome.

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Benjamin Franklin (1706-1790)

Because his brother James, owner of the New England Courant, had been jailed as a libeller by the Puritan heirarchy of Massachusetts, it fell to the lot of 16 year old Benjamin to supervise the publication of the sole opposition newspaper in New England. The result was a series of extraordinarily mature editorials on the general subject of the rights of man.

Without freedom of thought there can be no such thing as wisdom; and no such thing as public liberty without freedom of speech; which is the right of every man as far as by it he does not hurt or control the right of another; and this is the only check it ought to suffer and the only bounds it ought to know....Whoever would overthrow the liberty of a nation must begin by subduing the freeness of speech: a thing terrible to public traitors. (Eighth "Dogood Paper": 1722.)

John Adams (1735-1826)

Originally the Constitution of Massachusetts had contained no Bill of Rights; when it was submitted to a vote of the freemen it was overwhelmingly defeated. John Adams, who had been the chief architect of the original document, was responsible for the whole of the Bill of Rights with the exception of a single article. The Massachusetts Bill of Rights served not only as a model for other states but as a guide for the first ten amendments to the federal Constitution.

The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever. (Massachusetts Bill of Rights: 1780.)

James Bryce (1838-1922)

Over half a century after the appearance of Alexis de Tocqueville's Democracy in America there was published a second penetrating and comprehensive analysis of the American people and institutions by the English observer Lord Bryce. Like de Tocqueville before him James Bryce was a critical albeit a sympathetic viewer of freedom in action.

There exist in the American Republic several conditions which specially tend to create such a temper./tendency to passiveness/

One of these is the unbounded freedom of discussion. Every view, every line of policy, has its fair chance before the people. No one can say that audience has been denied him, and comfort himself with the hope that, when he is heard, the world will come round to him. Under a repressive government, the sense of grievance and injustice feeds the flame of resistance in a persecuted minority. But in a country like this, where the freedom of the press, the right of public meeting, and the right of association and agitation have been legally extended and are daily exerted, more widely than anywhere else in the world, there is nothing to awaken that sense. He whom the multitude condemns or ignores has no further court of appeal to look to. Rome has spoken. His cause has been heard and judgment has gone against him. ("The Fatalism of the Multitude" in The American Commonwealth: 1888.)

Edwin Lawrence Godkin (1831-1902)

As an editorial writer and a newspaper owner Edwin Lawrence Godkin was as interested in the principle of free speech as he was in the principle of a free press. His concept that freedom of expression has practical significance in a democracy is as significant today as when he originated it.

No one ever talks freely about anything without contributing something, let it be ever so little, to the unseen forces which carry the race on to its final destiny. Even if he does not make a positive impression, he counteracts or modifies some other impression, or sets in motion some train of ideas in some one else, which helps to change the face of the world....One of the functions of an educated man is to talk; and of course he should try to talk wisely.
--ibid. (Modern Democracy: The Duty of Criticism in a Democracy: 1896.)

Oliver Wendell Holmes (1841-1935)

The problems of interpreting the first amendment to the Constitution have been and will continue to be perplexing ones. Perhaps the most significant recent interpretation is that of Associate Justice Oliver Wendell Holmes in his application of the "clear and present danger" ruling to the case of *Abrams v. United States*. Such a judgment has served as a precedent for a number of subsequent interpretations which have extended the principle of free speech.

But as against dangers peculiar to war, as against others, the principle of the right to free speech is always the same. It is only the present danger of immediate evil or an intent to bring it about that warrants Congress in setting a limit to the expression of opinion where private rights are not concerned. (*Abrams v. United States: 1919.*)

Louis Dembitz Brandeis (1856-1941)

Along with Oliver Wendell Holmes Associate Justice Louis Brandeis has been one of the most distinguished figures on the Supreme Court in the twentieth century. In *Whitney v. California* Justice Brandeis applied the rule of "clear and present danger," which Holmes had done so much to advance.

Fear of serious injury cannot alone justify suppression of free speech and assembly. Men feared witches and burnt women. It is the function of speech to free men from the bondage of irrational fears. To justify suppression of free speech there must be reasonable ground to fear that serious evil will result if free speech is practiced. There must be a reasonable ground to believe that the danger apprehended is imminent. There must be reasonable ground to believe that the evil to be prevented is a serious one. Every denunciation of existing law tends in some measure to increase the probability that there will be violation of it. Condonation of a breach enhances the probability. Propagation of the criminal state of mind by teaching syndicalism increases it. Advocacy of law-breaking heightens it still further. But even advocacy of violation, however reprehensible morally, is not a justification for denying free speech where the advocacy falls short of incitement and there is nothing to indicate that advocacy would be immediately acted on. The wide difference between advocacy and incitement, between preparation and attempt, between assembling and conspiracy, must be borne in mind. In order to support a finding of a clear and present danger it must be shown either that immediate serious violence was to be expected or was advocated, or that the past conduct furnished reason to believe that such advocacy was then contemplated.

Those who won our independence by revolution were not cowards. They did not fear political change. They did not exalt order at the cost of liberty. To courageous, self-reliant men, with confidence in the power of free and fearless reasoning applied through the processes of popular government, no danger flowing from speech can be deemed clear and present, unless the incidence of the evil apprehended is so imminent that it may befall before there is an opportunity for full discussion. If there be time to expose through discussion the falsehood and fallacies to avert the evil by processes of education, the remedy to be applied is more speech, not enforced silence. (Whitney v. California: 1927.)

Giles Patterson (1885-)

Still another distinguished member of the American Bar sought to interpret the practical implications of the principle of free speech. In Free Speech and a Free Press Giles Jared Patterson, well-known American attorney, spelled out the significance of the practice of toleration.

It is an innate instinctive desire of man for the right of self-expression and for the right to commune freely with his fellow men. This desire is a natural one and hence this freedom is a natural right. Some have described it as inalienable or imprescriptible, but it is better described as being primordial. It is an essential of organized society and of progress from barbarism to civilization. Without its existence, individuality of man is suppressed. Without the right to acquire and impart information, knowledge becomes static, and subsequent generations can learn nothing from their predecessors.

Even opinions must not be suppressed, for there is always a possibility that they may be right. The suppression of opinion implies a recognition of the possibility that the suppressor is wrong and tends to strengthen the convictions and opposition of those suppressed. Opposition, if allowed, will be ineffective, if wrong; if right, suppression of it produces a greater evil. (Free Speech And A Free Press, p. 5: 1939.)

Walter Lippmann (1889-)

Best known as a newspaper columnist Walter Lippmann has also had a significant career in the field of political affairs. Trained as a philosopher he has had a continuing interest in the enlargement and perpetuation of our political liberties. It is Mr. Lippmann's thesis that truth will win out in any contest of freely-circulated ideas.

This is the creative principle of freedom of speech, not that it is a system for the tolerating of error, but that it is a system for finding the truth. It may not produce the truth, or the whole truth all the time, or often, or in some cases ever. But if the truth can be found, there is no other system which will normally and habitually find so much truth. Until we have thoroughly understood this principle, we shall not know why we must value our liberty, or how we can protect and develop it....

The only reason for dwelling on all this is that if we are to preserve democracy we must understand its principles. And the principle which distinguishes it from all other forms of government is that in a democracy the opposition not only is tolerated as constitutional but must be maintained because it is in fact indispensable. ("The Indispensable Opposition" in Atlantic Monthly: August 1939.)

Zechariah Chafee (1885-)

Privileges cannot be separated from responsibilities in a democracy. The importance of a sense of responsibility in maintaining the liberty of free speech is emphasized by Zechariah Chafee, Professor of Law at Harvard University, in his important work Free Speech in the United States.

Now I want to speak of responsibilities of the men who wish to talk. They are under a strong moral duty not to abuse the liberty they possess. All I have written goes to show that the law should lay a few restraints upon them but that makes it all the more important for them to restrain themselves. They are enjoying a great privilege, and the best return which they can make is to use that privilege wisely and sincerely for what they genuinely believe to be the best interests of the country. It is not going to be an easy task during the next few years to maintain freedom of speech unimpaired. There will be hard times ahead, perhaps even periods of disaster, during which many devoted citizens will readily believe that the safety of the nation demands the suppression of all criticism against those in authority. This tendency towards suppression will be immensely strengthened if speakers and writers use their privilege of free discussion carelessly or maliciously, so as to further their own ambitions or the immediate selfish interests of their particular minority. By abusing liberty of speech, they may easily further its abolition. I should be very slow to lock such men up or confiscate their pamphlets, but I so say that they owe it to the framers of the First Amendment who gave them this privilege, they owe it to all their fellow citizens and particularly to the few who share their own views, to think long and hard before they express themselves, so as to be sure that they speak fruitfully. It is hopeless for the law to draw the line between liberty and license. Judges and juries cannot look into the heart of a speaker or writer and tell whether his motives are patriotic or mean. But the man can look into his own heart and make that decision before he speaks out. Whatever efforts of this sort unpopular persons make will do much to maintain the vitality of the First Amendment. (Free Speech in the United States, viii and ix: 1948.)

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SECTION VII

FREEDOM OF THE PRESS

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FREEDOM OF THE PRESS

The notion that free men have the inherent right to publish the truth regardless of the consequences did not originate in America. The idea had been developing for some time in portions of Western Europe, particularly in England, at the time of the settlement of the American continent. However, the concept did come to flower in the colonial period of American history and subsequently was written into Article I of the Bill of Rights.

The first of a series of occurrences dealing with the principle developed in Boston in 1722, when James Franklin was imprisoned for printing allegedly libelous articles about Massachusetts officials. Another of the important events in the early struggle to make the notion a reality was the dramatic trial of the New York printer John Peter Zenger in 1735. The resulting decision that a printer could not be held a libeler if he could prove the truth of what he wrote, was a milestone in the development of the idea.

Since the time of Franklin and Zenger many important judicial decisions affecting the printed word have been made and have been incorporated into state constitutions. Today the average American considers freedom of the press a right which has been irrevocably secured. While the concept of freedom of the press is less likely to be challenged than it was two hundred years ago, constant vigilance on

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the part of editor and reader alike is needed to assure its perpetuation. Lack of interest in the principle as it is involved in present and future disputes may result in the loss of this basic freedom.

While freedom of the press is an integral part of the American system of rights and privileges, the duties and responsibilities of a free press should never be lost sight of. Freedom to print the truth carries with it a responsibility to know the truth. Since a delicate balance between right and responsibility is continually involved, there can be no substitute for informed public opinion. And, conversely, an informed public helps to assure the strength and perpetuation of a free press.

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Benjamin Franklin (1706-1790)

Since he was apprenticed as a printer's devil to his brother James when the latter ran afoul of the Boston magistracy, Benjamin Franklin had an early appreciation of the need for a free press in America. Later when he took up the profession of printing in Philadelphia, Franklin penned one of the first appeals for a free and independent press ever published in America.

They [printers] are educated in the belief that when men differ in opinion, both sides ought equally to have the advantage of being heard by the public; and that when truth and error have fair play, the former is always an overmatch for the latter. Hence they cheerfully serve all contending writers that pay them well, without regarding on which side they are of the question in dispute....If all printers were determined not to print anything till they were sure it would offend nobody, there would be very little printed. ("An Apology for Printers" in The Pennsylvania Gazette: June 10, 1731.)

Andrew Hamilton (1676-1741)

Perhaps the most widely-discussed episode in the struggle for a free colonial press was the trial of John Peter Zenger in New York. In his charge to the jury Andrew Hamilton, Zenger's attorney, insisted that the printer be judged solely on the truth or falsity of what he had published. The jury's verdict, which disregarded the charge of the royalist judge, James DeLancey, to determine simply whether or not Zenger had published the material, has long been considered an important milestone on the road to freedom of the press.

Every man who prefers freedom to a life of slavery will bless and honor you as men who have baffled the attempt of tyranny; and by an impartial verdict, have laid a noble foundation for securing to ourselves, our posterity and our neighbors, that, to which nature and the honor of our country have given us a right - the liberty of exposing arbitrary power by speaking and writing the truth. (Andrew Hamilton's Charge to the Jury: 1735.)

Thomas Jefferson (1743-1826)

As the author of the Declaration of Independence Thomas Jefferson was continuously aware of the need for an informed public opinion. He expressed that awareness very forcefully in a letter to Colonel Edward Carrington the year of the adoption of the Federal Constitution.

The people are the only censors of their governors; and even their errors will tend to keep these to the true principles of their institution. To punish these errors too severely would be to suppress the only safeguard of the public liberty. The way to prevent these irregular interpositions of the people, is to give them full information of their affairs through the channel of the public papers, and to contrive that those papers should penetrate the whole mass of the people. The basis of our government being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter. But I should mean that every man should receive those papers, and be capable of reading them.... (Letter to Colonel Edward Carrington: January 16, 1787.)

Alexis de Tocqueville (1805-1859)

One of the most perceptive of nineteenth century European viewers of the American scene was Alexis de Tocqueville, French writer and politician. In his monumental Democracy in America he surveyed a press which was as yet untroubled by the problems of monopolization.

But although the press is limited to these resources, its influence in America is immense. It is the power which impels the circulation of political life through all the districts of that vast territory. Its eye is open constantly to detect the secret springs of political designs, and to summon the leaders of all parties to the bar of public opinion. It rallies the interests of the community round certain principles, and it draws up the creed which factions adopt; for it affords a means of intercourse between parties which hear, and which address each other without ever having been in immediate contact. When a great number of the organs of the press adopt the same line of conduct, their influence becomes irresistible; and public opinion, when it is perpetually assailed from the same side, eventually yields to the attack. In the United States each separate journal exercises but little authority, but the power of the periodical press is only second to that of the people. ("Liberty of the Press in the United States" in Democracy in America: 1835.)

William Cullen Bryant (1794-1878)

With the publication in 1831 of William Lloyd Garrison's abolitionist newspaper, The Liberator, there was marked a decided growth of hostility between the North and the South on the issue of slavery. Throughout the North abolitionist societies developed apace. A series of incidents occurred which exacerbated relations between the two sections. One of the most dramatic of these incidents took place at Alton, Illinois, where a mob of pro-slavery sympathizers murdered Eliza Parish Lovejoy, an abolitionist newspaper editor. The result was a wave of indignation which swept the North. One of the most dramatic statements pointing out the broader significance of the mob action was made by William Cullen Bryant, prominent American poet and newspaperman.

The right to discuss freely and openly, by speech, by the pen, by the press, all political questions, and to examine and animadvert upon all political institutions, is a right so clear and certain, so interwoven with our other liberties, so necessary, in fact, to their existence, that without it we must fall at once into despot-

ism or anarchy. To say that he who holds unpopular opinions must hold them at the peril of his life, and that, if he expresses them in public, he has only himself to blame if they who disagree with him should rise and put him to death, is to strike at all rights, all liberties, all protection of law, and to justify or extenuate all crimes. ("The Death of Lovejoy" in the New York Evening Post: 1737.)

Edwin Lawrence Godkin (1831-1902)

Edwin Lawrence Godkin was the founder of The Nation, one of the most influential New York newspapers in the period immediately following the Civil War. As a lifelong foe of injustice he penned many editorials calling for the continuation of a free and independent press.

The succeeding statement is from one of Godkin's volumes on American democracy:

There is nothing which bad governments so much dislike and resent as criticism, and have in past ages taken so much pains to put down. In fact, a history of the civil liberty would consist largely of an account of the resistance to criticism on the part of the rulers. One of the first acts of a successful tyranny or despotism is always the silencing of the press or the establishment of censorship. (Modern Democracy: The Duty of Criticism in a Democracy: 1896.)

Commission on Freedom of the Press

In 1943 a Commission was set up at the University of Chicago to inquire into the present state and future prospects of the freedom of the press. The study which the Commission developed indicates to a considerable degree how seriously monopoly threatens the existence of a free and independent press and what this can mean in terms of an informed electorate.

The Commission set out to answer the question: Is the freedom of the press in danger? Its answer to that question is: Yes. It concludes that the freedom of the press is in danger for three reasons:

First, the importance of the press to the people has greatly increased with the development of the press as an instrument of mass communication. At the same time the development of the press as an instrument of mass communication has greatly decreased the proportion of the people who can express their opinions and ideas through the press.

Second, the few who are able to use the machinery of the press as an instrument of mass communication have not provided a service adequate to the needs of the society.

Third, those who direct the machinery of the press have engaged from time to time in practices which the society condemns and which, if continued, it will inevitably undertake to regulate or control.

When an instrument of prime importance to all the people is available to a small minority of the people only, and when it is employed by that small minority in such a way as not to supply the people with the service they require, the freedom of the minority in the employment of that instrument is in danger.

This danger, in the case of the freedom of the press, is in part the consequence of the industrial organization of modern society, and in part the result of the failure of the directors of the press to recognize the press needs of a modern nation and to estimate and accept the responsibilities which those needs impose upon them. (A Free and Responsible Press, pp. 1-2: 1947.)

Contemporary Problems of Principle

1. These several factors of an ideal press freedom are to some extent incompatible with one another.

A press which has grown to the measure of the national market and to the full use of technical resources can hardly be free from internal compulsions. The major part of the nation's press is large-scale enterprise, closely interlocked with the system of finance and industry; it will not without effort escape the natural bias of what it is. Yet, if freedom is to remain secure, this bias must be known and overcome.

Again, the growth of the press acts together with the growth of the nation to make more remote the ideal that every voice shall have the hearing it deserves. Concentration of power substitutes one controlling policy for many independent policies, lessens the number of major competitors, and renders less operative the claims of potential issuers who have no press. For this clash there is no perfect remedy. There is relief, to the extent that the wider press, somewhat as a common carrier, assumes responsibility for representing variant facets of opinion. But no listening devices of the human mind have yet secured us from a certain wastage of human genius as the scale of a nation's thinking enlarges; and the contemporary arts of what is called publicity can hardly be acquitted of aiming rather at further lens distortion than at just and proportionate recognition of worth. As commercial arts it is hard to see how they can make justice their supreme object.

2. There is an antithesis between the current conception of the freedom of the press and the accountability of the press.

Accountability, like subjection to law, is not necessarily a net subtraction from liberty; the affirmative factor of freedom, freedom for, may be enhanced. But the liberty to be carefree is gone. Charles Beard could say with accuracy that "in its origin, freedom of the press had little or nothing to do with truth telling...most of the early newspapers were partisan sheets devoted to savage attacks on party opponents...Freedom of the press means the right to be just or unjust, partisan or non-partisan, true or false, in news column or editorial column." Today, this former legal privilege wears the aspect of social irresponsibility. The press must know that its faults and errors have ceased to be private vagaries and have become public dangers. Its inadequacies menace the balance of public opinion. It has lost the common and ancient human liberty to be deficient in its function or to offer half-truth for the whole.

The situation approaches a dilemma. The press must remain private and free, ergo human, and fallible; but the press dare no longer indulge in fallibility--it must supply the public need. Here, again, there is no perfect solution. But the important thing is that the press accept the public standard and try for it. The legal right will stand if the moral right is realized or tolerably approximated. There is a point beyond which failure to realize the moral right will entail encroachment by the state upon the existing legal right. (A Free and Responsible Press, pp. 129-131: 1947.)

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SECTION VIII

RELIGIOUS FREEDOM

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RELIGIOUS FREEDOM

Although several of the original American colonies were founded on the basis of an established church, as early as 1644 Roger Williams issued his dramatic plea to the Puritan hierarchy of Massachusetts for the separation of church and state. By the time of the American Revolution the established churches were losing ground, particularly as a result of the examples set by such colonies as Rhode Island and Pennsylvania on the matter of religious toleration.

The First Amendment to the Bill of Rights proscribed the passage of any law respecting an establishment, thereby ruling out the possibility of a national church. This means that Congress, and probably the states, cannot either directly or indirectly establish a state church or a state religion nor show partiality for any religious sect, organization or mode of worship.

By 1833 even Massachusetts, with a long tradition of Puritan establishment, had accepted the separation of church and state as part of its constitution.

Today we accept the idea that the separation of church and state is one of the best means of assuring freedom of worship. And the concept of freedom of worship is based, in turn, on the fundamental belief in the supreme value of the human individual.

Roger Williams (1607-1684)

Born in Wales and educated at Cambridge University Roger Williams grew up in a period of great theological ferment. He soon developed into a decided opponent of the liturgies and ceremonies of the Established Church. Migrating to Massachusetts-Bay in 1631 he quickly came into conflict with the Puritan authorities on the matter of religious conformity. The charge brought against Williams by the General Court had to do with his insistence on absolute liberty of conscience. Although he was banished from Massachusetts and subsequently found refuge in Rhode Island, he continued to expound his thesis in his sermons and writings. His thesis, as significant today as it was three centuries ago, was never set forth with more vigor and clarity than in The Bloody Tenet.

(1) God requireth not a uniformity of religion to be enacted and enforced in any civil state; which enforced uniformity (sooner or later) is the greatest occasion of civil war, ravishing of conscience, persecution of Christ Jesus in his servants, and of the hypocrisy and destruction of millions of souls. (2) It is the will and command of God, that...a permission of the most Paganish, Jewish, Turkish, or Antichristian consciences and worships, be granted to all men in all nations and countries: and they are only to be fought against with that sword which is only (in soul matters) able to conquer, to wit, the sword of God's Spirit, the Word of God. (3) True civility and Christianity may both flourish in a state or kingdom, notwithstanding the permission of diverse and contrary consciences, either of Jew or Gentile. (Preface to The Bloody Tenet of Persecution for Cause of Conscience: 1644.)

Thomas Jefferson (1743-1826)

As a professed deist living in a colony which had an established church,

Thomas Jefferson was thoroughly aware of the plight of the non-conformist who was forced to support a church in which he did not believe. When he had become a power in Virginia politics he submitted a bill, subsequently enacted into law, which established religious freedom in the newly-created Commonwealth. To Jefferson this bill ranked with the Declaration of Independence and his fathering of the University of Virginia as his greatest achievement, and prior to his death he asked that it be noted on his tombstone that he was its author.

Well aware that the opinions and beliefs of men depend not on their own will, but follow involuntarily the evidence proposed to their minds; that Almighty God hath created the mind free, and manifested his supreme will that free it shall remain by making it altogether insusceptible to restraint; that all attempts to influence it by temporal punishments, or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy author of our religion, who being lord both of body and mind, yet chose not to propagate it by coercions on either, as was his almighty power to do, but to exalt it by influence on reason alone; that the impious presumption of legislature and ruler, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men, have assumed dominion over the faith of others, hath established and maintained false religions over the greatest part of the world and through all time: that to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion is depriving him of the comfortable liberty of giving his contributions to the particular pastor whose morals he would make his pattern and whose power he feels most persuasive to righteousness, and is withdrawing from the ministry those temporary rewards which, proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labors for the instruction of mankind; that our civil rights have no dependence on our religious opinions, any more than our opinions in physics or geometry; and therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust or emolument, unless he profess or renounce this or that religious opinion, is depriving him

injudiciously of those privileges and advantages to which, in common with his fellow citizens, he has a natural right; that it tends also to corrupt the principles of that very religion it is meant to encourage, by bribing with a monopoly of worldly honors and emoluments those who will externally profess and conform to it.... (A Bill for Establishing Religious Freedom: 1779.)

John Hughes (1797-1864)

Born in very humble circumstances in County Tyrone, Ireland, John Hughes educated himself to the point that he was prepared for college when his family moved to the United States in 1817. Ordained a priest in 1826 he rose to be the fourth Roman Catholic Bishop of New York. Throughout his adult life he was interested in relations between church and state, and during a period of extreme anti-Catholic criticism he stoutly maintained that in order to assure religious toleration, church and state would have to continue as separate entities.

I regard the Constitution of the United States as a monument of wisdom, an instrument of liberty and right, unequaled - rivaled - in the annals of the human race. Every separate provision of that immortal document is stamped with the features of wisdom; and yet among its wise provision, what I regard as the wisest of all is the brief, simple, but comprehensive declaration that "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof." (Speech at the Broadway Tabernacle in New York: 1843.)

James Gibbons (1834-1921)

A product of Baltimore James Gibbons rose from parish priest to cardinal in an ecclesiastical career which extended for more than sixty turbulent years. One of the first American Catholic clergymen to concern himself

with the growing problems of the industrial laborer, Gibbons lent his active support to such union organizations as the Knights of Labor.

Despite his activities in the realm of secular affairs, he was consistent in his affirmation that separation of church and state in America was a blessing to Catholic and non-Catholic alike.

American Catholics rejoice in our separation of Church and State; and I can conceive of no combination of circumstances likely to arise which would make a union desirable either to Church or State. We know the blessings of our present arrangement; it gives us liberty and binds together priests and people in a union better than that of Church and State. Other countries, other manners; we do not believe our system adapted to all conditions; we leave it to Church and State in other lands to solve their problems for their own best interests. For ourselves, we thank God we live in America, "in this happy country of ours," to quote Mr. Theodore Roosevelt, where "religion and liberty are natural allies." (Article in North American Review: 1909.)

William Ernest Hocking (1873-)

A native of Cleveland, Ohio, William Ernest Hocking, philosopher, has pursued a career as a teacher at Andover Theological Seminary, Yale and Harvard. His interest in both theology and philosophy has been reflected in his voluminous writings. He has repeatedly made the point that religion is meaningful only when freedom of conscience is the order of the day.

It is of the essence of the religious spirit ... always to persuade, never to compel.... Religion is never political in its nature. It has no speech except to free spirits. Its aim is to draw men to devotion ... and a devotion that is enforced is not sincere.... When it mistakingly uses the organs of power the very object of religion is undermined. (Quoted in Wilber G. Katz' "The Freedom to Believe" in Atlantic Monthly: October 1953.)

Anson Phelps Stokes (1874-)

Born on Staten Island, New York in 1874, Anson Phelps Stokes was educated at Yale and at the Episcopal Theological Seminary at Cambridge. Thereafter he held a series of preferments, including both clerical and lay positions. Along with his other duties he has contributed much time and effort to an examination of the relationship of church and state in contemporary America. Of particular interest is the growing body of opinion among American churchmen that each of the churches must take a stand on vital social issues. This and other problems are examined at some length in Dr. Stokes' definitive Church and State in the United States.

That religious freedom carries with it high responsibilities.

That religious freedom is one of our most precious heritages from the past, and that it is intimately related to the other freedoms of the Bill of Rights.

That our citizenship should be alert to prevent any attempts on the part of any religious body to secure special favors from the State, because the maintenance of Church-State separation, without any loss of mutual sympathy or interest, is fundamental if our form of democratic government is to be preserved, and is also to the advantage of the Churches.

That our Churches should interest themselves vitally in social welfare, and should always uphold the highest standards of citizenship, but that they should as a general rule abstain from party politics, and should take an active, assertive part in political matters only when great moral issues, such as slavery, child labor, or civic corruption, are concerned, and that even then they should generally emphasize the fundamental principles involved rather than the details of legislation or action.

That the State may continue in wise Constitutional ways, such as the exemption from taxation of buildings regularly used for public religious purposes, and the providing of chaplaincies in Congress

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and the Army and Navy, to encourage religion as being in the interest of the general welfare; but that it must be scrupulously careful to treat all law-abiding religious bodies alike.

That it is a matter of vital importance that our Federal Constitution, with its Bill of Rights and other amendments, should be held in the highest honor and its provisions scrupulously observed, because they control in the Federal field in religious-freedom issues, and set standards which the states must observe.
(Church and State in the United States, III, pp. 722-723: 1950.)

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SECTION IX

THE AMERICAN DESTINY

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THE AMERICAN DESTINY

In at least one sense the American Revolution was the practical result of almost a century of optimism, belief that man could control the forces of nature and make his lot on earth an essentially happy one. In the history of Western political thought such a notion was a relatively new one. The outstanding success of the American experiment did little to dim the sense of buoyant optimism which characterized such a theorist as Jefferson. And, despite certain differences of opinion about the nature and capacity of man, even such a skeptic as Alexander Hamilton did not lack a belief in the continuing progress of the American Republic.

Certainly Walt Whitman, writing during the fifth and sixth decades of the nineteenth century, held up a vision of the future similar to that which Jefferson had prophesized. It was not until the cataclysmic social and economic upheavals of the late nineteenth century that the note of optimism became a little strained.

With the appearance of America as a principal in the arena of world affairs the essentially optimistic notion of the American destiny became tinged with doubt. Americans became confused by the great complexity of issues which accompanied the new responsibilities of a world power.

These attitudinal changes over the course of some two centuries were not peculiar to the United States; the countries of Western Europe

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experienced similar changes. Despite these changes many of our poets and philosophers persist in expressing the hope that America in the face of the irrational fiction of collectivism will continue to survive as a government based upon the concept of the supreme value of the human individual.

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Thomas Jefferson (1743-1826)

The tremendous enthusiasm with which the average American of 1800 considered the future was mirrored in the speeches of the Founding Fathers. This anticipation of events to come was particularly well expressed in Thomas Jefferson's first Inaugural Address as the third president of the young Republic.

I know, indeed, that some honest men have feared that a republican government cannot be strong; that this government is not strong enough. But would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free and firm, on the theoretic and visionary fear that this government, the world's best hope, may, by possibility, want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest government on earth. I believe it the only one where every man, at the call of the law, would fly to the standard of the law; would meet the invasions of the public order as his own personal concern. Sometimes it is said that man cannot be trusted with the government of himself. Can he then be trusted with the government of others? Or have we found angels in the form of kings to govern him? Let history answer this question.

Let us, then, pursue with courage and confidence our own Federal and Republican principles; our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one-quarter of the globe; possessing a chosen country, with room enough for our descendants to the thousandth and ten thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them; enlightened by a benign religion, professed indeed and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling Providence, which, by all its dispensations, proves that it delights in the happiness of man here, and his greater happiness hereafter; with all these blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow-citizens, a wise and frugal government which shall restrain men from injuring one another, shall leave them otherwise free to

regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government; and this is necessary to choose the circle of our felicities. ("The Sum of Good Government" from The First Inaugural Address: 1801.)

Ralph Waldo Emerson (1803-1882)

One of the truly great literary figures of nineteenth century New England was Ralph Waldo Emerson. Born and brought up in Boston during a period when youthful America was flexing its muscles, Emerson's poetry and essays are filled with references to the future of the great democratic experiment. Despite his awareness of the growing hostility between North and South, he never lost faith in the future of free society in America.

We cannot look on the freedom of this country, in connexion with its youth, without a presentiment that here shall laws and institutions exist on some scale of proportion to the majesty of nature. To men legislating for the area betwix the two oceans, betwixt the snows and the tropics, somewhat of the gravity of nature will infuse itself into the code. A heterogeneous population crowding on all ships from all corners of the world to the great gates of North America, namely to the prairie and the mountains, and quickly contributing their private thought to the public opinion, their toll to the treasury, and their vote to the election, it cannot be doubted that the legislation of this country should become more catholic and cosmopolitan than that of any other. It seems so easy for America to inspire and express the most expansive and humane spirit; new-born, free, healthful, strong, the land of the laborer, of the democrat, of the philanthropist, of the believer, of the saint, she should speak for the human race. It is the country of the Future. From Washington, proverbially "the city of magnificent distances," through all its cities, states, and territories, it is a country of beginnings, of projects, of designs, of expectations. (The Young American: 1844.)

Abraham Lincoln (1809-1865)

While the Gettysburg Address was written and spoken to commemorate the sacrifices made on a battlefield, it also emphasized President Lincoln's faith in the American future. Despite the complexity of the issues which brought about the Civil War, Lincoln never lost sight of the fact that the defeat of the Union efforts meant the ultimate defeat of democracy and all that democracy stood for. Along with the Declaration of Independence and the preface to the Constitution, the Gettysburg Address stands as one of the most memorable statements of the American position.

Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we cannot dedicate--we cannot consecrate--we cannot hallow--this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us--that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people, shall not perish from the earth. (The Gettysburg Address: November 19, 1863.)

Walt Whitman (1819-1892)

The chaos of life in nineteenth century Europe contributed considerably to Walt Whitman's belief that America was not only the best but the last hope of civilization. In "Thou Mother with Thy Equal Brood" he portrayed America as the vessel which would link the past and the future.

Sail, sail thy best, ship of Democracy,
Of value is thy freight, 'tis not the Present only,
The Past is also stored in thee,
Thou holdest not the venture of thyself alone, not of the Western
continent alone,
Earth's resume entire floats on thy keel O ship, is steadied by
thy spars,
With thee Time voyages in trust, the antecedent nations sink or
swim with thee,
With all their ancient struggles, martyrs, heroes, epics, wars,
thou bear'st the other continents,
Theirs, theirs as much as thine, the destination-port triumphant;
Steer then with good strong hand and wary eye O helmsman, thou
carriest great companions,
Venerable priestly Asia sails this day with thee,
And royal feudal Europe sails with thee.
("Thou Mother with Thy Equal Brood" in Leaves of Grass: 1855.)

Emma Lazarus (1849-1887)

Born of a prosperous merchant family of New York City, Emma Lazarus showed an early affinity for poetry. While her early work was conventionally romantic, her later work reflected her crusading zeal against the tyrannies of Europe. Her best known poem is The New Colossus, a fragment of which was inscribed on the pedestal of the Statue of Liberty in 1903.

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door.
(Inscription on the Statue of Liberty: 1903.)

Herbert David Croly (1869-1930)

Born in New York City and educated at Harvard Herbert David Croly was one of the outstanding political writers of his generation. Although he wrote during a period when exposure literature was revealing errors and deficiencies in politics and the economic structure, Croly persisted in voicing his optimism in the future of America.

The moral and social aspiration proper to American life is, of course, the aspiration vaguely described by the word democratic; and the actual achievement of the American nation points towards an adequate and fruitful definition of the democratic ideal. Americans are usually satisfied by a most inadequate verbal description of democracy, but their national achievement implies one which is much more comprehensive and formative. In order to be true to their past, the increasing comfort and economic independence of an ever increasing proportion of the population must be secured, and it must be secured by a combination of individual effort and proper political organization. Above all, however, this economic and political system must be made to secure results of moral and social value. It is the seeking of such results which converts democracy from a political system into a constructive social ideal; and the more the ideal significance of the American national Promise is asserted and emphasized, the greater will become the importance of securing these moral and social benefits. (The Promise of American Life: 1909.)

Theodore Roosevelt (1858-1919)

Despite increasing stress and strain on the domestic scene and gathering war clouds over Europe, Theodore Roosevelt, presidential candidate for the Progressive Party in 1912, could still express his buoyant faith in

the future of the American Republic. If there ever was an American president who felt that he could shape the future—essentially a new and optimistic idea in the history of the world—that president was Theodore Roosevelt. The following statement could have been made virtually anytime during his vigorous public career.

Here in America we the people have a continent on which to work out our destiny, and our faith is great that our men and women are fit to face the mighty days. Nowhere else in all the world is there such a chance for the triumph on a gigantic scale of the great cause of democratic and popular government. If we fail, the failure will be lamentable, and our heads will be bowed with shame; for not only shall we fail for ourselves, but our failure will wreck the fond desires of all throughout the world who look toward us with the fond hope that here in this great Republic it shall be proved from ocean to ocean that the people can rule themselves, and thus ruling can gain liberty for and do justice both to themselves and to others. We who stand for the cause of the uplift of humanity and the betterment of mankind are pledged to eternal war against wrong whether by the few or by the many, by a plutocracy or by a mob. We believe that this country will not be a permanently good place for any of us to live in unless we make it a reasonably good place for all of us to live in. The sons of all of us will pay in the future if we of the present do not do justice to all in the present. Our cause is the cause of justice for all in the interest of all. (Speech at Chicago: June 17, 1912.)

James Truslow Adams (1878-)

Though there have been many competent chroniclers of the American past in recent years, no one of them has attained a popularity to compare with that of James Truslow Adams. Born in Brooklyn, New York Professor Adams has had a varied career in finance, transportation, manufacturing, military intelligence, and education. Perhaps much of his popularity stems from the fact that he has redefined the American dream in terms of our own troubled times. Perhaps his best-known work, a general

historical account, is The Epic of America, a volume which has been reprinted over thirty times since 1931.

There has been the American dream, that dream of a land in which life should be better and richer and fuller for every man, with opportunity for each according to his ability or achievement. It is a difficult dream for the European upper classes to interpret adequately and too many of us ourselves have grown weary and mistrustful of it. It is not a dream of motor cars and high wages merely, but a dream of a social order in which each man and each woman shall be able to attain to the fullest stature of which they are innately capable, and be recognized by others for what they are, regardless of the fortuitous circumstances of birth or position....

No, the American dream that has lured tens of millions of all nations to our shores in the past centuries has not been a dream of merely material plenty, though that has doubtless counted heavily. It has been much more than that. It has been a dream of being able to grow to fullest development as man and woman, unhampered by the barriers which had slowly been erected in older civilizations, unrepressed by social orders which had developed for the benefit of classes rather than for the simple human being of any and every class. And that dream has been realized more fully in actual life here than anywhere else, though very imperfectly even among ourselves....

If the American dream is to come true and to abide with us, it will, at bottom, depend on the people themselves. If we are to achieve a richer and fuller life for all, they have got to know what such an achievement implies. In a modern industrial state, an economic base is essential for all....

If we are to make the dream come true, we must all work together, no longer to build bigger, but to build better. There is a time for quantity and a time for quality. There is a time when quantity may become a menace and the law of diminishing returns begins to operate, but not so with quality....

In a country as big as America it is as impossible to prophesy as it is to generalize, without being tripped up, but it seems to me that there is room for hope as well as mistrust. The epic loses all its glory without the dream....

We have a long and arduous road to travel if we are to realize our American dream in the life of our nation, but if we fail, there is nothing left but the old eternal round. The alternative is the failure of self-government, the failure of the common man to rise to full stature, the failure of all that the American dream has held of hope and promise for mankind. (Epic of America, pp. 374-385: 1931.)

Thomas Clayton Wolfe (1900-1938)

Born in Asheville, North Carolina Thomas Wolfe rose by dint of exhausting effort to a position of preeminence among American novelists of the 1920's and 1930's. While his novels are thoroughgoing indictments of what he considered to be the thwarted dream of America, they do not lack a note of optimism for the future of the noble experiment. In his last novel You Can't Go Home Again, published posthumously in 1940, Wolfe expressed his fundamental sense of faith in the destiny of America.

So, then, to every man his chance — to every man, regardless of his birth, his shining, golden opportunity — to every man the right to live, to work, to be himself, and to become whatever thing his manhood and his vision can combine to make him — this, seeker, is the promise of America. ("Credo" from You Can't Go Home Again: 1940.)

I think the true discovery of America is before us. I think the true fulfillment of our spirit, of our people, of our mighty and immortal land, is yet to come. I think the true discovery of our own democracy is still before us. And I think that all these things are certain as the morning, as inevitable as noon. I think I speak for most men living when I say that our America is Here, is Now, and beckons on before us, and that this glorious assurance is not only our living hope, but our dream to be accomplished. ("Credo" from You Can't Go Home Again: 1940.)

Stefan Zweig (1881-1942)

Many Europeans who have seen the flame of democracy stamped out by a succession of tyrannies appreciate better than most native Americans the rare value of freedom. One European, the Austrian-born novelist Stefan Zweig, visited the United States after fleeing Hitlerian Austria in 1938. His subsequent efforts to make Americans appreciate what they had and to create a sense of vigilance in American society fell to a large extent upon deaf ears. The following statement is perhaps typical of his efforts to insure the realization of the American dream.

To defend democracy, we must first of all recognize its weaknesses, in order to be able to increase its effectiveness. The main weakness of democracy lies, in my opinion, in the fact that it has remained in a static position for 150 years. For most people, it has become a fulfilled wish, a materialized ideal. But ideals lose their impelling force as soon as they are realized. For decades democracy showed no dynamic development and released no new enthusiasms. Characteristic of this spiritual stagnation was the fact that it produced no poem, no hymn, no credo. Mainly because it no longer stirred up the emotions, it alienated youth, who always instinctively seek danger and struggle for the unattained. But now that democracy has entered into a struggle for its very existence, now that its treasured achievements are threatened by a reactionary dogmatism masked as a revolution, the moment has come to arouse it again from its pacifist inertia. Now is the time to point out what democracy means to us and to bring to the consciousness of the masses (who still do not understand it), what every single person, even the humblest, would lose in precious values of life if democracy is lost.

Thus it is the duty of each one of us to impress vividly upon the consciousness of the masses that the "new theories" and "new orders," disguised as progress and benefits, will only deprive them of what they have gained. For, in spite of all high-sounding phrases, everything which restricts liberty—that liberty which was won by the arduous efforts of our forefathers—means a spoliation of every

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single individual and a retrogression of humanity. Nothing can, nothing should obscure this simple, elementary fact: whoever tries, no matter under what slogans or banners, to destroy the will of the people to decide their own fate--and this means democracy--is the enemy of the people. (Essay in Norman Cousins' A Treasury of Democracy, pp. 290-291: 1942.)

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