

CHAPTER XCIX

THE STRENGTH OF AMERICAN DEMOCRACY

THOSE merits of American government which belong to its Federal Constitution have already been discussed:¹ we have now to consider such as flow from the rule of public opinion, from the temper, habits, and ideas of the people.

I. The first is that of Stability. — As one test of a human body's soundness is its capacity for reaching a great age, so it is high praise for a political system that it has stood no more changed than any institution must change in a changing world, and that it now gives every promise of durability. The people are profoundly attached to the form which their national life has taken. The Federal Constitution is, to their eyes, an almost sacred thing, an Ark of the Covenant, whereon no man may lay rash hands. All over Europe one hears schemes of radical change freely discussed. There is a strong monarchical party in France, a republican party in Italy and Spain, a social democratic party everywhere, not to speak of sporadic anarchist groups. Even in England, it is impossible to feel confident that any one of the existing institutions of the country will be standing fifty years hence. But in the United States the discussion of political problems busies itself with details, so far as the native Americans are concerned, and assumes that the main lines must remain as they are for ever. This conservative spirit, jealously watchful even in small matters, sometimes prevents reforms, but it assures to the people an easy mind, and a trust in their future which they feel to be not only a present satisfaction but a reservoir of strength.

The best proof of the well-braced solidity of the system is that it survived the Civil War, changed only in a few points which have not greatly affected the balance of National and State

¹ See Chapters XXVII.—XXX. in Vol. I.

powers. Another must have struck every European traveller who questions American publicists about the institutions of their country. When I first travelled in the United States, I used to ask thoughtful men, superior to the prejudices of custom, whether they did not think the States' system defective in such and such points, whether the legislative authority of Congress might not profitably be extended, whether the suffrage ought not to be restricted as regards negroes or immigrants, and so forth. Whether assenting or dissenting, the persons questioned invariably treated such matters as purely speculative, saying that the present arrangements were too deeply rooted for their alteration to come within the horizon of practical politics. So when a serious trouble arises, such as might in Europe threaten revolution, the people face it quietly, and assume that a tolerable solution will be found. At the disputed election of 1876, when each of the two great parties, heated with conflict, claimed that its candidate had been chosen President, and the Constitution supplied no way out of the difficulty, public tranquillity was scarcely disturbed, and the public funds fell but little. A method was invented of settling the question which both sides acquiesced in, and although the decision was a boundless disappointment to the party which had cast the majority of the popular vote, that party quietly submitted to lose those spoils of office whereon its eyes had been feasting.

II. Feeling the law to be their own work, the people are disposed to obey the law. — In a preceding chapter I have examined occasional instances of the disregard of the law, and the supersession of its tardy methods by the action of the crowd. Such instances do not deprive the Americans of the credit they claim to be a law-abiding community. It is the best result that can be ascribed to the direct participation of the people in their government that they have the love of the maker for his work, that every citizen looks upon a statute as a regulation made by himself for his own guidance no less than for that of others, every official as a person he has himself chosen, and whom it is therefore his interest, with no disparagement to his personal independence, to obey. Plato thought that those who felt their own sovereignty would be impatient of all control: nor is it to be denied that the principle of

equality may result in lowering the status and dignity of a magistrate. But as regards law and order the gain much exceeds the loss, for every one feels that there is no appeal from the law, behind which there stands the force of the nation. Such a temper can exist and bear these fruits only where minorities, however large, have learned to submit patiently to majorities, however small. But that is the one lesson which the American government through every grade and in every department daily teaches, and which it has woven into the texture of every citizen's mind. The habit of living under a rigid constitution superior to ordinary statutes — indeed two rigid constitutions, since the State Constitution is a fundamental law within its own sphere no less than is the Federal — intensifies this legality of view, since it may turn all sorts of questions which have not been determined by a direct vote of the people into questions of legal construction. It even accustoms people to submit to see their direct vote given in the enactment of a State Constitution nullified by the decision of a court holding that the Federal Constitution has been contravened. Every page of American history illustrates the wholesome results. The events of the last few years present an instance of the constraint which the people put on themselves in order to respect every form of law. The Mormons, a community not exceeding 140,000 persons, persistently defied all the efforts of Congress to root out polygamy, a practice eminently repulsive to American notions. If they inhabited a State, Congress could not have interfered at all, but as Utah is only a Territory, Congress has not only a power of legislating for it which overrides Territorial ordinances passed by the local legislature, but the right to apply military force independent of local authorities. Thus the Mormons were really at the mercy of the Federal government, had it chosen to employ violent methods. But by entrenching themselves behind the letter of the Constitution, they continued for many years to maintain their "peculiar institution" by evading the statutes passed against it and challenging a proof which under the common law rules of evidence it was usually found impossible to give. Declaimers hounded on Congress to take arbitrary means for the suppression of the practice, but Congress and the executive submitted to be outwitted rather than depart

from the accustomed principles of legislation, and succeeded at last only by a statute whose searching but strictly constitutional provisions the recalcitrants failed to evade. The same spirit of legality shows itself in misgoverned cities. Even where it is notorious that officials have been chosen by the grossest fraud and that they are robbing the city, the body of the people, however indignant, recognize the authority, and go on paying the taxes which a Ring levies, because strict legal proof of the frauds and robberies is not forthcoming. Wrongdoing supplies a field for the display of virtue.

III. There is a broad simplicity about the political ideas of the people, and a courageous consistency in carrying them out in practice. When they have accepted a principle, they do not shrink from applying it "right along," however disagreeable in particular cases some of the results may be. I am far from meaning that they are logical in the French sense of the word. They have little taste either for assuming abstract propositions or for syllogistically deducing practical conclusions therefrom. But when they have adopted a general maxim of policy or rule of action they show more faith in it than the English for instance would do, they adhere to it where the English would make exceptions, they prefer certainty and uniformity to the advantages which might occasionally be gained by deviation.¹ If this tendency is partly the result of obedience to a rigid constitution, it is no less due to the democratic dislike of exceptions and complexities, which the multitude finds not only difficult of comprehension but disquieting to the individual who may not know how they will affect him. Take for instance the boundless freedom of the press. There are abuses obviously incident to such freedom, and these abuses have not failed to appear. But the Americans deliberately hold that in view of the benefits which such freedom on the whole promises, abuses must be borne with and left to the sentiment of the people

¹ What has been said (Chapters XLIV. and XLV.) of special and local legislation by the State legislatures may seem an exception to this rule. Such legislation, however, is usually procured in the dark and by questionable means.

Looking both to the National and to the State governments, it may be said that, with a few exceptions, no people has shown a greater regard for public obligations, and that no people has more prudently and honourably refrained from legislation bearing hardly upon the rich, or indeed upon any class whatever.

and the private law of libel to deal with. When the Ku Klux outrages disgraced several of the Southern States after the military occupation of those States had ceased, there was much to be said for sending back the troops to protect the negroes and Northern immigrants. But the general judgment that things ought to be allowed to take their natural course prevailed; and the result justified this policy, for the outrages after a while died out, when ordinary self-government had been restored. When recently a gigantic organization of unions of working men, purporting to unite the whole of American labour, attempted to enforce its sentences against particular firms or corporations by a boycott in which all labourers were urged to join, there was displeasure, but no panic, no call for violent remedies. The prevailing faith in liberty and in the good sense of the mass was unshaken; and the result soon justified this tranquil faith. Such a tendency is not an unmixed blessing, for it sometimes allows evils to go too long unchecked. But in giving equability to the system of government it gives steadiness and strength. It teaches the people patience, accustoming them to expect relief only by constitutional means. It confirms their faith in their institutions, as friends value one another more when their friendship has stood the test of a journey full of hardships.

IV. American government, relying very little on officials, has the merit of arming them with little power of arbitrary interference. The reader who has followed the description of Federal authorities, State authorities, county and city or township authorities, may think there is a great deal of administration; but the description has been minute just because the powers of each authority are so carefully and closely restricted. It is natural to fancy that a government of the people and by the people will be led to undertake many and various functions for the people, and in the confidence of its strength will constitute itself a general philanthropic agency for their social and economic benefit. There has doubtless been of late years a current running in this direction.¹ But the paternalism of America differs from that of Europe in acting not so much through officials as through the law. That is to say, when it prescribes to the citizen a

¹ See Chapter XCV.

particular course of action it relies upon the ordinary legal sanctions, instead of investing the administrative officers with inquisitorial duties or powers that might prove oppressive, and when it devolves active functions upon officials, they are functions serving to aid the individual and the community rather than to interfere with or supersede the action of private enterprise. Having dwelt on the evils which may flow from the undue application of the doctrine of direct popular sovereignty, I must remind the European reader that it is only fair to place to the credit of that doctrine and of the arrangements it has dictated, the intelligence which the average native American shows in his political judgments, the strong sense he entertains of the duty of giving a vote, the spirit of alertness and enterprise, which has made him self-helpful above all other men.

V. There are no struggles between privileged and unprivileged orders, not even that perpetual strife of rich and poor which is the oldest disease of civilized states. One must not pronounce broadly that there are no classes, for in parts of the country social distinctions have begun to grow up. But for political purposes classes scarcely exist. No one of the questions which now agitate the nation is a question between rich and poor. Instead of suspicion, jealousy, and arrogance embittering the relations of classes, good feeling and kindness reign. Everything that government, as the Americans have hitherto understood the term, can give them, the poorer class have already, political power, equal civil rights, a career open to all citizens alike, not to speak of that gratuitous higher as well as elementary education which on their own economic principles the United States might have abstained from giving, but which political reasons have led them to provide with so unstinting a hand. Hence the poorer have had nothing to fight for, no grounds for disliking the well-to-do, no complaints to make against them. The agitation of the last few years has been directed, not against the richer sort generally, but against incorporated companies and a few wealthy capitalists, who are deemed to have abused the powers which the privilege of incorporation conferred upon them, or employed their wealth to procure legislation unfair to the public. Where violent language has been used like that with

which France and Germany are familiar, it has been used, not by native Americans, but by new-comers, who bring their Old World passions with them. Property is safe, because those who hold it are far more numerous than those who do not: the usual motives for revolution vanish; universal suffrage, even when vested in ignorant new-comers, can do comparatively little harm, because the masses have obtained everything which they could hope to attain except by a general pillage. And the native Americans, though the same cannot be said of some of the recent immigrants, are shrewd enough to see that the poor would suffer from such pillage no less than the rich.

[Revising this chapter in 1894, I leave these words, which were written in 1888, to stand as they were. They then expressed, as I believe, the view which the most judicious Americans themselves took of their country. Looking at the labour troubles of the last three years, and especially at the great railroad strike riots of July, 1894, that view may seem too roseate. It is, however, to be remembered that those riots were mainly the work of recent immigrants, whom American institutions have not had time to educate, though the folly of abstract theory has confided votes to them; and it must also be noted that the opinion of the native Americans, with little distinction of class, approved the boldness with which the Federal executive went to the extreme limit of its constitutional powers in repressing them. In any case it seems better to await the teachings of the next few years rather than let matured conclusions be suddenly modified by passing events.]

A European censor may make two reflections on the statement of this part of the case. He will observe that, after all, it is no more than saying that when you have got to the bottom you can fall no farther. And he will ask whether, if property is safe and contentment reigns, these advantages are not due to the economical conditions of a new and resourceful country, with an abundance of unoccupied land and mineral wealth, rather than to the democratic structure of the government. The answer to the first objection is, that the descent towards equality and democracy has involved no injury to the richer or better educated classes: to the second, that although much must doubtless be ascribed to the bounty of nature, her

favours have been so used by the people as to bring about a prosperity, a general diffusion of property, an abundance of freedom, of equality, and of good feeling which furnish the best security against the recurrence in America of chronic Old World evils, even when her economic state shall have become less auspicious than it now is. Wealthy and powerful such a country must have been under any form of government, but the speed with which she has advanced, and the employment of the sources of wealth to diffuse comfort among millions of families, may be placed to the credit of stimulative freedom. Wholesome habits have been established among the people whose value will be found when the times of pressure approach, and though the troubles that have arisen between labour and capital may not soon pass away, the sense of human equality, the absence of offensive privileges distinguishing class from class, will make those troubles less severe than in Europe, where they are complicated by the recollection of old wrongs, by arrogance on the one side and envy on the other.

Some American panegyrists of democracy have weakened their own case by claiming for a form of government all the triumphs which modern science has wrought in a land of unequalled natural resources. An active European race would probably have made America rich and prosperous under any government. But the volume and the character of the prosperity attained may be in large measure ascribed to the institutions of the country. As Mr. Charles W. Eliot observes in a singularly thoughtful address:—

“Sensible and righteous government ought ultimately to make a nation rich; and although this proposition cannot be directly reversed, yet diffused well-being, comfort, and material prosperity establish a fair presumption in favour of the government and the prevailing social conditions under which these blessings have been secured. . . .

“The successful establishment and support of religious institutions—churches, seminaries, and religious charities—upon a purely voluntary system, is an unprecedented achievement of the American democracy. In only three generations American democratic society has effected the complete separation of Church and State, a reform which no other people has ever attempted. Yet religious institutions are not stinted in the United States; on the contrary, they abound and thrive, and all alike are protected and encouraged, but not supported, by the State. . . . The main-

tenance of churches, seminaries, and charities by voluntary contributions and by the administrative labours of volunteers, implies an enormous and incessant expenditure of mental and moral force. It is a force which must ever be renewed from generation to generation; for it is a personal force, constantly expiring, and as constantly to be replaced. Into the maintenance of the voluntary system in religion has gone a good part of the moral energy which three generations have been able to spare from the work of getting a living; but it is worth the sacrifice, and will be accounted in history one of the most remarkable feats of American public spirit and faith in freedom.

"A similar exhibition of diffused mental and moral energy has accompanied the establishment and the development of a system of higher instruction in the United States, with no inheritance of monastic endowments, and no gifts from royal or ecclesiastical personages disposing of great resources derived from the State, and with but scanty help from the public purse. Whoever is familiar with the colleges and universities of the United States knows that the creation of these democratic institutions has cost the life-work of thousands of devoted men. At the sacrifice of other aspirations, and under heavy discouragements and disappointments, but with faith and hope, these teachers and trustees have built up institutions, which, however imperfect, have cherished scientific enthusiasm, fostered piety, literature, and art, maintained the standards of honour and public duty, and steadily kept in view the ethical ideals which democracy cherishes. It has been a popular work, to which large numbers of people in successive generations have contributed of their substance or of their labour. The endowment of institutions of education, including libraries and museums, by private persons in the United States is a phenomenon without precedent or parallel, and is a legitimate effect of democratic institutions. Under a tyranny — were it that of a Marcus Aurelius — or an oligarchy — were it as enlightened as that which now rules Germany — such a phenomenon would be simply impossible. Like the voluntary system in religion, the voluntary system in the higher education buttresses democracy; each demands from the community a large outlay of intellectual activity and moral vigour."

VI. The government of the Republic, limited and languid in ordinary times, is capable of developing immense vigour. It can pull itself together at moments of danger, can put forth unexpected efforts, can venture on stretches of authority transcending not only ordinary practice but even ordinary law. This is the result of the unity of the nation. A divided people is a weak people, even if it obeys a monarch; a united people is doubly strong when it is democratic, for then the force of each individual will swells the collective force of the government, encourages it, relieves it from internal embarrassments.

Now the American people is united at moments of national concern from two causes. One is that absence of class divisions and jealousies which has been already described. The people are homogeneous: a feeling which stirs them stirs alike rich and poor, farmers and traders, Eastern men and Western men — one may now add, Southern men also. Their patriotism has ceased to be defiant, and is conceived as the duty of promoting the greatness and happiness of their country, a greatness which, as it does not look to war or aggression, does not redound specially, as it might in Europe, to the glory or benefit of the ruling caste or the military profession, but to that of all the citizens. The other source of unity is the tendency in democracies for the sentiment of the majority to tell upon the sentiment of a minority. That faith in the popular voice whereof I have already spoken strengthens every feeling which has once become strong, and makes it rush like a wave over the country, sweeping everything before it. I do not mean that the people become wild with excitement, for beneath their noisy demonstrations they retain their composure and shrewd view of facts. I mean only that the pervading sympathy stirs them to untoward efforts. The steam is superheated, but the effect is seen only in the greater expansive force which it exerts. Hence a spirited executive can in critical times go forward with a courage and confidence possible only to those who know that they have a whole nation behind them. The people fall into rank at once. With that surprising gift for organization which they possess, they concentrate themselves on the immediate object; they dispense with the ordinary constitutional restrictions; they make personal sacrifices which remind one of the self-devotion of Roman citizens in the earlier days of Rome.

Speaking thus, I am thinking chiefly of the spirit evolved by the Civil War in both the North and the South. But the sort of strength which a democratic government derives from its direct dependence on the people is seen in many smaller instances. In 1863, when on the making of a draft of men for the war, the Irish mob rose in New York City, excited by the advance of General Robert E. Lee into Pennsylvania, the State governor called out the troops, and by them restored order with a stern vigour which would have done credit to Radetzky or

Cavaignac. More than a thousand rioters were shot down, and public opinion entirely approved the slaughter. Years after the war, when the Orangemen of New York purposed to have a 12th of July procession through the streets, the Irish Catholics threatened to prevent it. The feeling of the native Americans was aroused at once; young men of wealth came back from their mountain and seaside resorts to fill the militia regiments which were called out to guard the procession, and the display of force was so overwhelming that no disturbance followed. These Americans had no sympathy with the childish and mischievous partisanship which leads the Orangemen to perpetuate Old World feuds on New World soil. But processions were legal, and they were resolved that the law should be respected, and the spirit of disorder repressed. They would have been equally ready to protect a Roman Catholic procession.

Given an adequate occasion, executive authority in America can better venture to take strong measures, and feels more sure of support from the body of the people than is the case in England. When there is a failure to enforce the law, the fault lies at the door, not of the people, but of timid or time-serving officials who fear to offend some interested section of the voters.

VII. Democracy has not only taught the Americans how to use liberty without abusing it, and how to secure equality: it has also taught them fraternity. That word has gone out of fashion in the Old World, and no wonder, considering what was done in its name in 1793, considering also that it still figures in the programme of assassins. Nevertheless there is in the United States a sort of kindness, a sense of human fellowship, a recognition of the duty of mutual help owed by man to man, stronger than anywhere in the Old World, and certainly stronger than in the upper or middle classes of England, France, or Germany. The natural impulse of every citizen in America is to respect every other citizen, and to feel that citizenship constitutes a certain ground of respect. The idea of each man's equal rights is so fully realized that the rich or powerful man feels it no indignity to take his turn among the crowd, and does not expect any deference from the poorest. An individual employer of labour (for one cannot say the same of corporations) has, I think, a keener sense of his duty to those whom he employs than employers have in continental Europe. He

has certainly a greater sense of responsibility for the use of his wealth. The number of gifts for benevolent and other public purposes, the number of educational, artistic, literary, and scientific foundations, is larger than even in Britain, the wealthiest and most liberal of European countries. Wealth is generally felt to be a trust, and exclusiveness condemned not merely as indicative of selfishness, but as a sort of offence against the public. No one, for instance, thinks of shutting up his pleasure-grounds; he seldom even builds a wall round them, but puts up low railings or a palisade, so that the sight of his trees and shrubs is enjoyed by passers-by. That any one should be permitted either by opinion or by law to seal up many square miles of beautiful mountain country against tourists or artists is to the ordinary American almost incredible. Such things are to him the marks of a land still groaning under feudal tyranny.

It may seem strange to those who know how difficult European states have generally found it to conduct negotiations with the government of the United States, and who are accustomed to read in European newspapers the defiant utterances which American politicians address from Congress to the effete monarchies of the Old World, to be told that this spirit of fraternity has its influence on international relations also. Nevertheless if we look not at the irresponsible orators, who play to the lower feelings of a section of the people, but at the general sentiment of the whole people, we shall recognize that democracy makes both for peace and for justice as between nations. Despite the admiration for military exploits which the Americans have sometimes shown, no country is at bottom more pervaded by a hatred of war, and a sense that national honour stands rooted in national fair dealing. The nation is often misrepresented by its statesmen, but although it allows them to say irritating things and advance unreasonable claims, it has not for more than forty years permitted them to abuse its enormous strength, as most European nations possessed of similar strength have in time past abused theirs.

The characteristics of the nation which I have passed in review are not due solely to democratic government, but they have been strengthened by it, and they contribute to its solidity and to the smoothness of its working. As one some-

times sees an individual man who fails in life because the different parts of his nature seem unfitted to each other, so that his action, swayed by contending influences, results in nothing definite or effective, so one sees nations whose political institutions are either in advance of or lag behind their social conditions, so that the unity of the body politic suffers, and the harmony of its movements is disturbed. America is not such a nation. There have, no doubt, been two diverse influences at work on the minds of men. One is the conservative English spirit, brought from home, expressed, and (if one may say so) entrenched in those fastnesses of the Federal Constitution, and (to a less degree) of the State constitutions which reveal their English origin. The other is the devotion to democratic equality and popular sovereignty, due partly to Puritanism, partly to abstract theory, partly to the circumstances of the Revolutionary struggle. But since neither of these two streams of tendency has been able to overcome the other, they have at last become so blent as to form a definite type of political habits, and a self-consistent body of political ideas. Thus it may now be said that the country is made all of a piece. Its institutions have become adapted to its economic and social conditions and are the due expression of its character. The new wine has been poured into new bottles: or to adopt a metaphor more appropriate to the country, the vehicle has been built with a lightness, strength, and elasticity which fit it for the roads it has to traverse.

CHAPTER C

HOW FAR AMERICAN EXPERIENCE IS AVAILABLE FOR EUROPE

THERE are two substantial services which the study of history may render to politics. The one is to correct the use, which is generally the abuse, of the deductive or *a priori* method of reasoning in politics. The other is to save the politician from being misled by superficial historical analogies. He who repudiates the *a priori* method is apt to fancy himself a practical man, when, running to the other extreme, he argues directly from the phenomena of one age or country to those of another, and finding somewhat similar causes or conditions bids us to expect similar results. His error is as grave as that of the man who relies on abstract reasonings; for he neglects that critical examination of the premises from which every process of reasoning ought to start. The better trained any historical inquirer is, so much the more cautious will he be in the employment of what are called historical arguments in politics. He knows how necessary it is in attempting to draw any conclusion of practical worth for one country from the political experience of another, to allow for the points in which the countries differ, because among these points there are usually some which affect the soundness of the inference, making it doubtful whether that which holds true of the one will hold true of the other. The value of history for students of politics or practical statesmen lies rather in its power of quickening their insight, in its giving them a larger knowledge of the phenomena of man's nature as a political being and of the tendencies that move groups and communities of men, and thus teaching them how to observe the facts that come under their own eyes, and what to expect from the men with whom they have to deal. A thinker duly exercised in historical research will carry his stores of the world's political experience about with him, not as a book of pre-