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IS THOMAS JEFFERSON THE
FORGOTTEN MAN?

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Men are making a mess of the business of government almost everywhere. They have pretty clearly demonstrated their capacity to do better anything and everything within the reach of their powers than to care in organized fashion and under legal forms for those common interests and ideals which free men have shown themselves ready and willing to commit to Government. It is probable that in Sweden, in the Netherlands and in Great Britain governmental action and policy conform more fully to instructed and disinterested public opinion than elsewhere in the world, but even in those countries, particularly in Great Britain, Government has many and vigorous critics. The fact of the matter is that civilization, with the grouping of human beings together in organized society, depends for its advance in terms of Liberty upon the capacity and willingness of individual human beings to bear their respective parts not primarily in a spirit of gain-seeking but in a spirit of service, leaving therefore to Government only the most elementary duties and functions. In so far as there is failure to reach this level of excellence, and in so far as the profit motive fails in subordination to the spirit of service, there is constant turning to Government for relief from real or fancied abuses. If the

endeavor to subordinate the spirit of gain-seeking to the spirit of service shall prove to be permanently beyond the reach of human beings, then there will be and must be a continual drift through Government toward some form of despotism or compulsion, in the hope of thereby achieving ends that seem otherwise unattainable. This is precisely the point which the world has reached in this year of grace 1935.

There are some fundamental principles taught by reason and upheld by experience which must not be forgotten. When Wallace and Darwin expounded the theory of organic evolution, they pointed to a fact which is basic in the constitution and development of human society. That fact is the survival of those who are best fitted and adapted to their environment. This means that success will take place side by side with failure, that excellence will exhibit itself side by side with incompetence and that high-minded, constructive service will be found side by side with mean-spirited envy, hatred and malice. It takes all sorts of human beings to make this world. Not only is it a fact that individuals are not and cannot be equal in respect to physical force or technical skill or intellectual power or moral excellence, but that all progress would come to an end if they were. If there be no higher end at which to aim than this equality, then the stagnation of death will displace the activity of life. These differences between individuals which have been and are the moving cause of all progress in the history of civilization, must be reckoned with as permanent forces, unless through their extermination we propose to bring civilization to an end. This is why all forms of collectivism are of necessity reactionary and

can, in the end, bring only unhappiness, suffering and disaster to those masses which they are supposed to be able to aid. The real problem here is not to suppress or to limit individual ability or individual activity, or to prevent that man who can do better work than his fellows with his hands or with his head from enjoying the fruit of his labors and of whatever he may be able to save from his earnings after having met his comfortable living costs. The task before the world is not the suppression, much less the elimination, of individual excellence and its adaptation to environment, but rather the control and shaping of environment so as to bring reasonable adaptation to it within the reach of the largest possible number of individual human beings. Almost all the radical movements and undertakings of the moment aim at the suppression of individual excellence and are therefore in flat contradiction with Liberalism in any of its forms. They are not only reactionary but gravely damaging to the highest and largest interests of society as a whole. In some form, the doctrine of collective despotism has been taught from time to time since civilization began but it has never made any considerable headway until the present generation.

Probably at no time in history have fundamental principles of political organization and administration been examined and debated with larger insight and understanding than when the government of the United States was in the making. Mr. Gladstone was certainly justified in his famous panegyric upon the work of the Constitutional Convention of 1787, the membership of which was described by Thomas Jefferson as an assemblage of demigods. For reasons which it is not difficult

to understand, it has been customary to set Alexander Hamilton and Thomas Jefferson in sharp opposition, the one to the other, as political philosophers intimately concerned with the shaping of American political thought and with the organization and functions of the federal system of government which was so fortunately adopted. A wiser view, however, and one which is amply justified by the happenings of the past century and a half, is that which regards the teachings of Hamilton and of Jefferson as not so much in opposition to each other as complementary to each other. Hamilton, as his great papers amply record, was profoundly concerned with the adequacy of the powers of the federal government and with its ability and capacity to establish financial and economic policies that would be in the largest public interest. Thomas Jefferson, on the other hand, was looking chiefly at the relation of Government to the individual and his freedom, and he never ceased insisting upon the truth that in a land of free men, Government is the servant of the citizen and that the citizen is not the servant of Government. Alexander Hamilton was quickly successful in establishing his policies and ideals, and through the judicial interpretation of the Constitution by Chief Justice Marshall these became the accepted foundation upon which the national life rests. Oddly enough, however, despite Jefferson's great authority and the long-continuing power of the political party which he called into being, it is his principles and teachings which at this very moment are most vigorously attacked and contradicted. It is a queer happening in the history of American politics that the chief instrumentality for contradicting Thomas Jefferson should

be the present-day leaders of the political party of which he was the inspiration. For two generations that party in the platforms adopted by its quadrennial national conventions found some way in which to acclaim Jefferson and to pay tribute to his name and fame. In fact, his name is mentioned specifically in the platforms adopted by the National Democrat Party in 1840, in 1892, in 1896, in 1900, in 1904, in 1908, in 1912, in 1924 and in 1928. On the other hand, the opposition party, the Republican, which has continued in our public life the spirit and the ideals of Hamilton and which has uniformly treated the name of Thomas Jefferson with more or less unconcern, is now vigorously preaching his doctrines and calling upon men to return to their defense and re-establishment. Can it be that Thomas Jefferson is the forgotten man? Has that great dominant personality, touching life at so many points and inspiring men and policies of such various kinds, who passed from earth on July 4, 1826, already been forgotten? Every believer in governmental regimentation of business, of agriculture or of industry contradicts Thomas Jefferson. Every Communist, every Nazi, every Fascist and every American sympathizer with any of these forms of government and social organization contradicts Thomas Jefferson. May it not be worth while briefly to inquire how far Thomas Jefferson was wrong and whether these new and disturbing forms of compulsion now urged as substitutes for Liberty are to be accepted as sounder teachings than those of Jefferson?

One suspects that it is the wicked profit motive which is once more at work and that what these advocates of compulsion have really in mind is not an advancing and

improved civilization, with larger measure of satisfaction and happiness for each and all, so much as a personal share in the results of the labors and savings of other men. In other words, the moving force is not moral but economic. It is not service to mankind but gain-seeking for the individual. At this point we begin to see that all Share-the-Wealth programs are misnamed. They really should be called Steal-the-Wealth programs. It is not their intention to provide new and larger opportunities for fruitful labor, whether by hand or by brain, but rather to take by force some part of those savings which the work and the thrift of others have enabled them to build up. One of John Marshall's famous phrases was that the power to tax involves the power to destroy. He might have gone farther and said that the power to tax is the power to effect revolution and to overturn any established form of free government. As a matter of fact, those statesmen who insisted that a Bill of Rights should be included in, or attached to, the Constitution of the United States at the time that the federal government was set up, were not only sound in their thinking but they were prophets as well. It is this Bill of Rights which is fundamental to the American form of government, and its principles, although not written in words, are also basic in the government of Great Britain. The purpose of the Bill of Rights was to protect the individual against the worst, the most cruel and the most selfish of all despotisms, which is that of the majority. The doctrine that the majority must rule is merely a convenient way of saying that up to the present time no better way has been found of testing the public opinion of a community than by asking its mem-

bers to vote on some specific proposal or undertaking. But this rule of the majority is definitely restricted, both in Great Britain and still more specifically in the United States, by those fundamental principles of civic, economic and political liberty which are set forth in the Bill of Rights.

It is with these facts in mind that all schemes and plans of taxation are to be examined and tested. If a tax be fairly and equitably levied upon individuals and undertakings in accordance with their ability to pay and with the lowest possible exemption, to the end that every one who votes for those who are to spend public money shall be tax-conscious and therefore quick to resent and to rebuke governmental extravagance, we are on sound and wholly defensible ground. When, however, the power to tax is used for the purpose of punishing individuals or groups, or for the purpose of effecting, whether consciously or unconsciously, economic, social or political revolution, then every principle which the American people hold most dear is under attack and in danger of fatal damage or overthrow. "Unnecessary taxation is unjust taxation," says the Democrat National platform of 1884, written chiefly by no less a man than Abram S. Hewitt. It cannot be too insistently repeated that the tyranny and compulsion of a majority, usually temporary, exercised through the power of taxation, without reference to the Bill of Rights or to moral principle, is the most dangerous enemy which Liberty has to face. It is more insidious than Communism, and its dangers are less likely to be quickly recognized than those which are characteristic of Nazism or of Fascism. These facts are an added argument for the

Bill of Rights and for defending the individual, through his protection by the judicial power as established in the Constitution, from invasion and tyranny by Government. All this used to be considered fundamental American doctrine and while it often required interpretation, it rarely excited debate. We have now, however, come face to face with the rising wave of compulsion which has already in a great part of the world completely overwhelmed and swamped the growing Liberalism of the past three hundred years and which is in our own country moving vigorously in many different ways toward the same end. If the taxing power be habitually used, not to support through a balanced budget an economical and wisely administered government which is minding its own proper business, but rather to discriminate against and to punish individuals, undertakings and groups, then, without having amended our Constitution in any way, we shall have well begun to undermine its foundations.

What is the reason and the excuse for all this? In Russia, it is the clever seizing of power by a group of economic doctrinaires who found the ground prepared for them by centuries of Czarist despotism over a vast population, largely ignorant, untutored and out of touch with the world. In Italy, Fascism made its appeal when a forceful and dominant personality voiced its doctrines and offered active organization to a people which had become discouraged and, politically speaking, restless and discontented. In Germany, the conditions are distinctly psychopathic. The cruel mistakes which were made when the Treaty of Versailles was dictated and not negotiated, when the foolish paragraph as to the sole

war guilt of the Germans was insisted upon, when every sort and kind of discrimination was made against a proud, if defeated, people who had for two full centuries made powerful and permanent contribution to the world's philosophy, the world's literature, the world's science and the world's art, well prepared the way for what has been happening in Germany. When the former Allies insisted upon their domineering attitude even after the Pact of Locarno had been signed and after Germany had joined the League of Nations, and when the forward-facing policies of Stresemann and Briand were blocked at every turn by reactionary and ultra-nationalistic forces, the path was certainly paved for the success of any leader with a voice and a personality which would appeal to a people's wounded pride and injured feelings. This is precisely what happened with the advent of Hitler. The real Germany, the true Germany, the historic Germany, is for the moment in eclipse, and we have a nation-wide psychopathic phenomenon with millions listening to preposterous, unhistoric and unscientific doctrines and teachings as to race, as to religion and as to a nation's place in the world. Time and time alone can cure such a condition as this. But the blame must not be put wholly upon the German people by any means. The rest of the world must take its full share of the blame for having made these present conditions possible and having brought them about.

When we turn to the United States and reflect upon the history of the past quarter-century, it becomes obvious that it has not been Liberty but the abuses of Liberty, it has not been the Bill of Rights but the shocking acts of groups and individuals under the protection of

the Bill of Rights, which have so affronted and outraged millions of the American people that for the moment their eyes seem closed to the fundamental principles upon which their government and social order rest and upon which these must rest if they are to continue. So violent and so dishonest were many manifestations of the profit motive, so unjust, so immoral and so far-reaching were many of its deeds, that men became first suspicious, then angry, then so hopeless that they began to open their hearts and minds to political acts and policies which under ordinary circumstances would have been most repugnant to them. Once again we see here the perpetual conflict between economics and morals, between the profit motive and the spirit of service. Given the field of Liberty occupied and developed by the profit motive, with the spirit of service in the background or wholly forgotten, and the door is quickly opened for that revolution, whether silent or forcible, by which compulsion will enter to take Liberty's place.

The history of Government both in Great Britain and in the United States makes it pretty plain that free government functions best—and perhaps can only function at all—under the two-party system. The two essential parties correspond to two clearly marked types of human mind and human feeling. The one wishes to go ahead and make changes; the other wishes to keep things substantially as they are and to combat changes when proposed. Therefore the one party is Liberal or Progressive and the other is Conservative. These two parties and the two types of mind which they represent fit themselves to the framework of almost any form of free

government. Each party is very critical of the other and it gains power when its criticisms are successful in convincing public opinion. The two-party system prevailed in the United States from a few years after the establishment of the federal government until the present generation. It has now disappeared in all but name and therefore the American people are now without one of the most powerful instruments of political effectiveness. What was the Republican Party went on the rocks in 1912 and while there are still many millions of Republicans throughout the country, they are without any common body of political principle and without any definite political program. The historic Democrat Party was practically destroyed by Bryan and has never been rehabilitated and reunited. We must not be misled by appearances; there are parties but only in name. Many of those who call themselves Republicans and many of those who call themselves Democrats are in flat contradiction as to many fundamental principles and policies with others who claim the same party name. This illogical and, indeed, ludicrous situation has contributed mightily to bring our government to its present unhappy pass. We can no longer trust the promises and pledges of a political platform, because when elected, those who bear the party name may, and often do, treat that platform with entire unconcern and sometimes with flat contradiction. What then are the American people voting for and how is public opinion to make itself effectively felt in official public action? Just now these are pressing practical problems in the United States. If and when men use party names and party traditions to secure

popular support and then when elected to office throw their influence and their votes in favor of measures which flatly contradict the principles and traditions of that party whose name they profess to bear, how are we to carry on free government? If this sort of thing continues, the American people will find themselves face to face with chaos instead of with orderly government. One active, well-organized, self-seeking minority after another will control public policy for its own selfish purposes, no matter at what cost of fundamental principle or of the general welfare.

Surely it is a sad commentary upon the conditions which now confront us that, to speak bluntly, so many thousands of the American people have shown clearly that they are for sale. We have been familiar for generations with the fact that a candidate for public office could best endear himself to his constituency by securing appropriations of public money to be spent on public projects within the state or district from which he had been elected to office. When Thomas B. Reed of Maine was speaker of the House of Representatives some forty years ago, he took occasion to denounce with the utmost vigor the activities of those Congressmen who, under pressure from their several districts, labored to secure the expenditure of public monies therein for purposes which were, in no proper sense of the word, necessary. Unhappily, there are no Thomas B. Reeds now visible above the office-holding horizon, and quite another state of mind is daily revealing itself. For the old-fashioned, upstanding, independent Americanism, there is now substituted in words of pathetic surrender "Let Government do it." Tens of thousands of men and women who

are receiving government relief are reported to resist going to work in honorable employment because they prefer the certainty and security of the government payment. This is shocking indeed, and it reveals a complete undermining of the American character by the profit motive. If there be any one end to which we must address ourselves more than another, it is the rehabilitation of the American independence of mind, of body and of estate.

As matters now stand, we are permitting, often without realizing it, the steady transfer to the field of Government of activities which belong in the field of Liberty. This means not only a complete change of national character and institutions but also a vast lowering of effectiveness in a host of agencies for the public service; for it is quite certain that whatever Government undertakes to do in the field of agriculture, of industry, of commerce or of philanthropy, it will do far less well than individual citizens co-operating together to work in the field of Liberty under the inspiration of the motive of service. It is by subtly drifting policies of this kind that our social, economic and political life can be swept from its moorings and that we may be carried over into a form of collectivism that will leave Communism with all its horrors, its sufferings and its fatal losses, only a short distance away. There is small use in punishing and deporting Communists if we permit the steady application of Communist principles in our national life.

Unhappily, the fact is constantly overlooked that in our American life and social order the words Public on the one hand and Official or Government on the other

are by no means interchangeable. As a matter of fact, by far the major portion of our public service is rendered in the field of Liberty and not by Government at all. Over and above such outstanding illustrations as hospitals, asylums, colleges and universities upon which Government could not lay its hand without greatly reducing their usefulness, there are literally tens of thousands of public service undertakings, large and small, being carried on throughout the country with amazing effectiveness by individual and group effort. This service is none the less public because it is unofficial; indeed, it is more important and more effective just because it is unofficial. If Government, by abuse of the taxing power which is within its control, destroys the ability of hundreds of thousands of individual men and women to join in carrying forward these various types of public service, then Government is striking a treacherous blow at the public interest which can only be followed by a literally incalculable damage and loss. All these considerations enforce the conviction that Thomas Jefferson was right; that Government must be carefully restricted in its powers and functions; that it must be held closely to them; and that every attempt on the part of Government to invade the reserved field of Liberty, no matter on what pretense, must be stoutly and stubbornly resisted.

If it be said that conditions have changed since Jefferson's day and that we must now be prepared to face the complex social, economic and political problems of the twentieth century with open minds and without reference to what was said by Hamilton, by Jefferson or by

any other of the Founding Fathers, the answer is Yes, that is true but with a very important qualification. Fundamental principles do not change, no matter what happens to the environment in which their application is sought or attempted. The multiplication table does not change, the rule of three does not change, the moral law does not change. What changes is the environment. Just so the sound principles which Jefferson taught have lost nothing of their soundness because of the altered conditions under which they are to be practically applied. If we are to maintain and enjoy Liberty, nothing is more certain than that we in the United States—leaving other peoples out of consideration for the moment—must see to it that the privileges and rights of Liberty are not abused by dominance of the profit-seeking motive, so that individuals and groups are oppressed, imposed upon or exploited. That all of these things have happened during the past generation is unfortunately true, but now the public is awake to the character and cause of these happenings and will see to it that they are not continued or repeated. The proper function of Government in matters of this kind is not to take control of the details of business or business organization in any of their forms, but rather to supervise, to criticize and to punish infractions of the rules of law and the principles of sound morals. Far from discouraging individuals and groups in their efforts to develop agriculture, industry and commerce and to multiply various forms of public service, Government should do everything in its power to remove obstacles to the successful carrying forward of these undertakings. Public opinion

must see to it that the public service motive is in control and that the profit-seeking motive is subordinated to it. This will not be easy, human nature being constituted as it is, but it will be far easier to accomplish this end through efforts in the field of Liberty than to attempt to do so through the bureaucratic and legalistic action of Government. Any effort of the latter kind can only do more harm than good to the interest of the whole people. For example, the vengeful desire on the part of Government to place an inordinately high tax upon personal and corporate incomes and upon personal estates will shortly be seen to have a profoundly disturbing effect on the general welfare. On the surface, a policy of this kind simply strips individuals and families of especially large accumulations of wealth, but looked at more closely, it disturbs and disarranges the whole of the American social order. It must quickly bring about the dismissal from their welcome occupations at satisfactory compensation, not of tens of thousands, but of hundreds of thousands of men and women who are happily and satisfactorily employed. It must disarrange and cripple in a thousand unsuspected and unexpected ways the nation's industry and commerce; and when the end shall have been reached what will it amount to? Nothing but to satisfy the incredibly mean desire to punish those who are more fortunate than most of us. Where these great accumulations of wealth have come to pass by fraud, by exploitation or by lawlessness, let there be punishment to the limit. Nothing could be more false, however, than the assumption that because an individual or a group possesses a large accumulation of wealth this has been brought about by unjust or im-

proper means. Such is not true in one case out of twenty. Any attempt to attack these citizens through a misuse of the taxing power will punish thrift and wisdom twenty times where it will punish wrongdoing once. This is a fact to be insistently drummed into the heads of those who, temporarily in important public office, use the power of that office with malice and bitterness to damage those who have been more fortunate or more thrifty than themselves.

One must wonder why it is that the possessors of honorably acquired great fortunes do not see the wisdom of giving or leaving by far the greater part of these fortunes to institutions and undertakings in the fields of Liberty which have the highest type of public service as their aim. One would think that the examples of Carnegie, of Harkness, of Rockefeller and a few others would have their effect and would lead others to satisfy and to gratify the public by devoting the major portion of their accumulations to the public service. Were this more commonly done, there would be far less criticism than is now the case of the possessors of these great fortunes, provided, of course, that they had come honestly and fairly by them.

Thomas Jefferson was fundamentally right in his political philosophy and it is high time that he was rescued, not by one political party but by all Americans, from being the Forgotten Man which he now so obviously is. It is wholly practicable, without in any way disturbing the foundations of our American government and social system, without farther amending the Constitution and without doing violence to the underlying principles of the finest and most progressive Liberalism,

to offer solution for all of the new problems with which the changing social, economic and political environment has brought us face to face. To do this, however, we must first of all rid ourselves of the dogmatic and baseless Marxian assumptions and absurdities which are just now so much in evidence. There are no fixed and definite classes in the United States, and there is no proletariat here. One need only read the family history of those who have come to positions of high importance in business, in social or in political life to see what their origins were and how completely those origins were shared by millions of their fellow citizens. With us the door of opportunity is always open to ability, to skill, to capacity and to high character. He who labors with his hands today may be found laboring with his head tomorrow and directing and guiding the labor of others shortly thereafter. Not only have we no classes in the United States, but it is vitally important that we permit none to grow up among us. To prevent the appearance of fixed and definite classes in our social order, public opinion must be relied upon, since no other force can avail. In city and in country, in east and in west, in north and in south, we must all concern ourselves with the health of the people, with the housing of the people, with the conditions under which work, whether by hand or by brain, is carried on, as well as with fair and generous compensation for such work with definite assurance against the tragedy of unemployment, of illness or of dependent old age. All these things can and will be provided for within the field of Liberty, Government being called upon from time to time only for its co-operation, its supervision and its criticism. No political

and social system in this twentieth century can rest upon a sound moral foundation which does not do these things and do them well. When the profit motive is found to be harassing those who work with hand or with brain, by too long hours of labor, by too small compensation, by the employment of children or in any other way, then public opinion must teach that profit motive its place and subordinate it to the larger, finer and more humane view, which is that given us by the spirit of service.

When anything goes wrong in the United States, the usual and very prompt reaction is to demand the passage of some new law. The result is that our statute books are literally clogged with thousands of useless and futile provisions of law which accomplish nothing and which in due time pass into what Grover Cleveland happily described as innocuous desuetude. Law is but one of several methods of social control, and it is astonishing how little it can accomplish, even in regard to such a crime as murder as to which it would seem easily dominant. Murder, for example, has been against the law ever since Moses came down from Mount Sinai, and yet there were more murders in the United States last year than ever before in our history. For century upon century murderers have been executed either by torture, by beheading, by hanging or by electrocution. Nevertheless, murders continue to multiply in every part of the world. What this means is that what law cannot do must be left for accomplishment to the often slow-moving force of public opinion with its organized agencies of education, the family, the school and the church. No nation can be made wise or public spirited or liberal-

minded by law. Law can help mightily, but it is always and everywhere subordinate to public opinion and to those great intangible forces—emotional, intellectual, moral—which so constantly sweep over masses of men. It is these which we ourselves must learn to guide and to control. Then Government will be in its proper place and Thomas Jefferson will have won another victory.