



Our American
Form of Government
Is The Best
The World Has Ever Known

We Should Preserve It

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On the 13th of December, 1940, following a dinner of the National Foundation for Education in American Citizenship for leading citizens, educators, and trustees of colleges and universities, a short discussion was held in which the author took a minor part. At the close, four participants asked him to amplify his remarks and put them in printed form. This brochure is the result.

AIMS OF THE
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1. To present the need for more effective instruction in American principles and concepts, through the faculties and curriculum committees of colleges and universities, to the administrators, trustees, boards of education, and to the public at large.
2. To aid and encourage the collaboration of faculties, educators, and leading citizens in developing basic instruction in American principles.
3. To encourage universities, colleges, public schools, and other educational institutions to make comprehensive instruction in the American form of government available to all students.
4. To cooperate with educational associations, non-political organizations, national and regional movements interested in the study and support of the American form of government. Correspondence and cooperation with the Foundation are invited.

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ORIGIN AND NATURE OF GOVERNMENT

Have you ever stopped to think just why a man in a blue uniform may compel you to drive on the right-hand side of the street, or stop on the red-light signal, or limit your speed? You might say to him that this is a free country and you expect to drive where and how you please. As a matter of fact, you obey the laws, at least as long as the officer is around. But who is this blue-coated man? Where and how did he obtain this authority over you? One may answer, "He is a member of the government." But what is the government, and how did it originate and gain authority? All the older authors start with the principle that authority or sovereignty comes from the Supreme Being as a spark of Divinity.

One group from which John Austin, the English author, may be chosen, maintained that the spark of divinity lodged in the head of the king only, who then became all powerful even to the taking of the lives of his subjects. This is the foundation of the "Divine Right of Kings." The king could transmit a part of this power to chosen representatives and could withdraw it at will for "the King can do no wrong." A law is a command uttered by a superior. Its end is to influence the activity of the inferior in the desired direction and its machinery is an appeal to fear of punishment. Upon analysis this ancient concept seems ridiculous. If the king were vanquished in battle, the spark of divinity or sovereignty would jump out of his head into that of the victor. Upon his death it would pass to the head of his oldest son, to a daughter or be held in abeyance until his successor were chosen. It is a foolish concept, but was held by William II of Germany only a few years ago.

Jean Jacques Rousseau and his followers admitted that the divine spark came from above, but claimed that instead of lodging in the head of one person it came to every human being at birth and continued to reside there. That the people being possessed of this divine spark could appoint agents to perform for them certain acts of government and that when those agents ceased to govern in accordance with the people's wishes or well-being, they could be sent to the guillotine or be otherwise disposed of. This theory, more than any other, brought on the French Revolution and Reign of Terror. The French leader Robespierre became a more despotic ruler than any king France had ever had. The French people became disheartened and were easily won over by Napoleon's promises. Rousseau named his system "The Social Contract" and claimed that each citizen should obey the public officers only in so far as he had contracted to obey. The great weakness of this system was that he suggested no court or judge authorized to construe the contract, but let each citizen decide for himself, which led to one of the most chaotic conditions ever experienced. "The Absolute Monarchy" and "The Social Contract" are at the opposite poles of governmental consideration. A good form of government lies somewhere between.

THE CREATION OF OUR GOVERNMENT

Prior to 1776 our forebears lived under the English Government, which was a limited or constitutional monarchy, but has since become a democratic

government, as the king now has fewer powers than our president. During that year our people decided to withdraw from English rule and promulgated the "Declaration of Independence". Its form and content are somewhat similar to that of Holland, when that country declared its freedom from Spain. After our freedom was declared there came the task of adopting a form of government. Many suggestions were made; several plans were submitted to our constitutional convention.

James Madison proffered a complete copy of the constitution of the Amphictyonic Council, which had existed in northern Greece and the territory to the north for about five hundred years before the birth of Christ. In this council there were twelve districts of different sizes and populations, one very small and another very large, but each had two votes in the council chamber, located at Delphi on Mt. Parnassus, where the delegates met semiannually. This council was formed for defense, for control of trade between the districts, for a common medium of exchange, etc. Madison, a student of Greek history, out of many representative governments of which he had read, chose this as the model best suited to the needs of our new Government. Thomas Jefferson, another student of Greek history, although in Paris at the time our constitution was adopted, had submitted and strongly advocated the adoption of a form of government similar to that of the Achaean League, which had existed in southern Greece during the first century A. D. This League was purely democratic. Every citizen had the right to vote for every officer. The elections were held first in one city and then in another. No two consecutive elections were allowed to be held in the same city for fear of favoritism. This League did not last as long, or cover as much territory, as the Amphictyonic Council, but it fulfilled Jefferson's idea of a pure democracy. Each of these leagues as well as others had a legislative body, an executive and some kind of a court or arbitration committee to decide controversies between members or between the citizens; but no previous league or federation had a court with broad jurisdiction.

During the sessions of our constitutional convention, arguments were made in favor of each of the above models and several others, with the result that Madison's model was adopted for the Senate and Jefferson's model for the House, thus establishing a dual legislative body as was then existing in the Dutch and Swiss republics, from whose experience our representatives gained some help in establishing our mode of procedure and other details. Switzerland had been a federation since 1291 and Holland since 1570.

To satisfy those members of the convention who argued for a system of checks and balances, the Federal Supreme Court was given more jurisdiction than in any other federation. Judicial decisions not only state what the rights of each contestant are in a given case, but also what the rights shall be in a similar case. A right to be defined as "the power of the state to compel others to allow an individual to carry out his ideas or wishes, assuming, of course, that they be in harmony with the public good." Freedom is impossible in a place where a man may do as he pleases. "Freedom can exist only in that society wherein just laws are impartially enforced." A law is defined as a "formula of action resting upon knowledge of the condition of action". "A law is not a command, but by stating the conditions of action it is a demand." Here is a most interesting coincidence. Before the Christian era a system of representative government was in use in the territory north of Greece. Then came the Roman conquest, other wars and finally the Austrian domination.

Toward the close of the World War in 1918 the Austrians were defeated. Soon thereafter the people in the above mentioned territory promulgated a Declaration of Independence based upon the fourteen points of President Woodrow Wilson's peace program and named the country Czechoslovakia. These principles of government had been developed there 400 B. C., preserved in Greek history, used by us for 150 years and then returned to the territory of their birth. By force a conqueror may gain control of the political and economic life of a people, but it is quite another matter to uproot their ethical concepts.

THE NATURE OF OUR GOVERNMENT

John Dewey, in his lectures on the Psychology of Democracy, compares our government to a living organism and makes a distinction between an organism and an organization. He says that an organization is a combination of distinct, self-sufficient parts no one of which is essential to the well-being or complete functioning of the others. Even in the lower animals we see organizations of active parts. If a worm is cut in pieces it appears that each piece can move and function, whereas in the higher animals, if a leg is cut off or an eye put out, the separated member has no life and the body from which it was taken is much the worse for its loss and, of course, if the vital part of the higher animal is cut in two or seriously injured, each and every part or member of the entire body dies.

All of the preceding Federal Governments were organizations consisting of separate self-sufficient entities which could and did withdraw or secede at will, and this was the cause of failure. This principle of secession came very nearly ending our government. When John C. Calhoun, senator from South Carolina, a Yale graduate and one of the most brilliant men in public life, argued for states' rights and the doctrine of nullification and secession, he brought out the fact that in framing our constitution our forefathers had made use of the history and experiences of several of the older Federal Governments and had adopted many of their provisions. He repeatedly challenged his opponents to name one single previous federation from which members could not or did not secede at will. Therefore, he argued, if, in our constitution there is no provision against secession, and if it were largely copied from those earlier governments allowing a member to secede at will, the sovereign member states had a constitutional as well as a moral right to secede. This was a difficult argument to answer and even Daniel Webster's reply to Hayne, Calhoun's successor, was not as logically convincing as the North desired. But those loyal to the Union felt that all the states should be held together. The Civil War decided the argument in favor of this new concept of a federal government, wherein a federated member may not withdraw; one that constitutes an organism, a living unified whole in which each state is a vital element performing its specific function. If one should see a human being trying with his hand to tear out his eye, to cut off his hand or his foot he would think that person insane and seek to have him incarcerated. This is similar to a destructive strike when one member or group of society is at war with another. They are both members of the same organism which is really injured by the affray.

Consider your own body or organism; you have two hands, two feet, two eyes. For you to be your full efficient self, you must have full use of each of these and all other members, and if you should lose one or more you would be

proportionately hampered thereby. This *Inviolable Union* is the one and only one great contribution which the United States has added to the history of Federal Government. It is, however, the vital, sustaining principle that has given, and will give, lasting endurance to our beloved government.

All members of one's body must function harmoniously: this is the doctrine which Apostle Paul gave to the church in Corinth. See 1 Cor. 12: 14-30, and to the church in Rome, see Romans 12: 4-10. He did not call it the Psychology of Democracy, but he told the distracted members of those weakened churches what they must do in order to preserve their organizations. In our government our legislative body may be likened to the brain in a human organism; it makes the decision; the telegraph, telephone and radio act as the nerves to transmit that decision to the executive branches which may be likened to our hands and feet. This analogy could be carried much further, but this is sufficient to indicate that as an injury to or paralysis of any member of our physical body affects the entire organism, so it will be in the governing body. The interdependence of the functional members is the same. No organism can be strong or approach perfection unless each of its individual members is willing to perform his functions, his duty, with a view to benefit the entire community. In college or high school parlance this may be summed up in one phrase, "Team Work"—an absolute essential in any athletic contest. Plato in his treatise on Laws says, "Whenever the greatest power coincides in man with wisdom and temperance then the germ of the best polity is planted: but in no other way will it ever come about." And in his treatise on Republic he admits that society has not reached that degree of perfection to make possible the ideal estate. The state cannot be better than those who compose it.

The individual has three major contacts with his fellow men: ethical, economical and political. Ethically, one should have the right to worship the Deity according to the dictates of his own conscience, a right he should accord to others. He should have the right to go upon the high seas and if this right is challenged by another nation his government might be drawn into war to enforce that right. If the conditions were reversed he might be called upon to bear arms to enforce another's right. He has the right to discuss and decide what is fair and just in living conditions, bearing in mind of course the rights of others similarly situated. Economically, one has the right to be comfortably well-fed, well-clothed and well-housed. One wears a suit of wool; but he did not raise the sheep, shear the fleece, weave the cloth or tailor the garment. He has made demands upon others to perform these services for him. What has he done for them? What services has he performed? Politically, one has the right to vote and participate in public activities, but this places an obligation upon him to cast his vote intelligently. Under a monarchy or totalitarian government one ruler dictates the religion of the realm and decides what is right and what is wrong. The citizens may only obey the dictates of the ruler. Economically, the privileged or governing class makes the demands for all its material needs and desires, without rendering services therefor. Politically, the monarch or governing group makes and enforces the laws without consulting those who are to obey them.

For those whose religion is specified, who must be producers only and obey the laws without having a voice in creating them, such a country or society would not be a pleasant one in which to live. Conversely, it would be a very pleasant country in which to live if each were guaranteed his choice of religion and ethical rights, if there were no privileged or idle classes, and if each

exercised an equal share in forming the government and executing the laws. By the same reasoning that individual who has developed his ideas of religion and of what others should do to the exclusion of any consideration for the economic or political needs of the community is not a good citizen. The man who thinks of his own economic advancement—making money without applying ethical principles—giving no thought to politics except insofar as he himself may be affected, is not a good citizen. The ward politician, the professional office seeker, who has no idea of ethics or economic development is not a good citizen. The best citizen, the one most helpful in the community is he who gives due consideration to ethics and fair dealing in all his transactions; who is an actual producer of consumer goods in some form or other and who gives due attention to politics and government. He is a well-rounded man capable of assuming the obligations and demanding the privileges of citizenship in "a government of the people, by the people, and for the people." The great problem then is to recognize and support our system of laws and our form of government which both allows and encourages its citizens to become well-rounded members as above suggested, realizing that with every right there is a duty to see that all others may exercise the same or equal right. In our language it is necessary to use the two words "Right and Duty", whereas the Roman word "Jus", the French "LeDroit", and German "Das Recht" carried the dual meaning. Spencer, Rousseau, Locke, Dewey and several other philosophers have discussed at length the close resemblance of the human organism and the government of a confederated state.

ANARCHY

The term government contemplates law and order, the antitheses of anarchy which contemplates an absence of law and order. One who manifests anarchistic tendencies is a criminal against society, for he asserts the rights belonging only to an earlier stage of social organization. He is antisocial. He is an organ acting in isolation.

The number of authors on anarchy is comparatively few. Among them are Pierre J. Proudhon, of France; William Godwin, of England; Peter Kropotkin and Leo Tolstoy, of Russia. Their ideas are much the same. The major portions of their writings describe the misery of the poorer class in their respective countries. They inveigh against existing laws and customs but offer no plausible substitutes. Proudhon says, "That I may remain free and that I may be subjected to no law but my own, and that I may govern myself, the edifice of society must be rebuilt upon the idea of contract. Whoever lays hands upon me to govern me is an usurper and a tyrant. I declare him my enemy. In whatever form it may appear, government of man by man is illegal and absurd." It is hardly worth while for one to answer such untenable propositions. William Godwin is somewhat less extreme than Proudhon, but severely criticises property tenure in England. "The wisdom of law-makers and parliament has been applied to creating the most wretched and senseless distribution of property which mocks alike at human nature and at the principles of justice." He claims that the general welfare of mankind should prevail and that distribution of property should be made solely upon that basis. As to both of these propositions most of us will now agree. England has changed her laws regarding title to land and the distribution of income among her citizens. Kropotkin says that all laws should be repealed and a new rule

adopted enabling all to proceed from a less happy to a happier existence; but he does not suggest any mode or system of controlling the citizens or their interchange of commodities. He also says, "As labor has produced all wealth it should be distributed among the laborers and the idle should not participate". "That most persons who hold property by inheritance are a drag on society; the first act of the 19th century commune will consist in laying hands on the entire capital accumulated, both of materials for consumption and those for production." This author at least foretold the coming events in Russia.

Authors on anarchy claim Tolstoy as one of their number, but to me he would properly belong among the Communists. He did advocate the overthrow of the existing government and offered therefor the Bible, the Ten Commandments and especially Christ's second great Commandment, "Love thy neighbor as thyself". This theory will be treated later under the subject of Religions in Government. Tolstoy also thought there should be no private ownership in property for "possession of property is the dominance of the possessor over the non-possessor, and those who are rich are thereby guilty of crime in that they allow thousands to go hungry and cold while they themselves enjoy the luxuries." Karl Marx might be considered here as one influencing the great change in Russia; but in fairness to him one must admit that he was not an anarchist and not strictly a communist, but rather an extreme socialist.

SOCIALISM—COMMUNISM

Many authors treat communism and socialism as synonymous. The new Columbia Encyclopedia says, "The term Socialist defies definition." Most authors, however, define a Socialist as one who advocates the good of society as a whole rather than the enrichment of a few. The individual left to himself narrows his interest to the present time, space, and place, and it requires the continued reaction of others to make him see what is bound up in his particular action here and now. The problem is to get him to see his impulse from the standpoint of the whole and this involves continued social discipline both reinforcing his activity and changing his direction. The truth in socialism lies in recognizing the necessity of the social mediation and its falsity is in supposing that the end and aim of social activity is to direct the individual. Its true end lies in putting at the disposal of the individual the facts and pointing out the opportunities which will enable him to direct himself for his own good, as well as for the social good. Self interest is not bad in itself but the effort of each should be to get away from his mean, narrow self, and assume the broader, sympathetic self which considers all.

The generally accepted definition of communism is a society wherein the commune or society as a whole owns all the property of every kind, controls all labor and activity, and puts the harvested crops and manufactured goods into a common warehouse from which each member draws out in accordance with his needs, without regard to what he put in. No incentive or premium is awarded for his activity or extra production. History records the formation of many communes but none has endured for any length of time. The present experiment in Russia is the most noteworthy. The world is looking on and wondering how long it will endure. We see that community ownership there is now giving way to individual property rights and there are other evidences of modification of communistic rules. Communism has been helpful to the great mass of Russians who were released from virtual slavery without

having had any experience in individual ownership. Under such conditions a few avaricious persons might have rapidly acquired title to much of the land taken from the large estates and soon the peasants would have been in the same, or possibly worse, position than before their revolution; but the fact that individual ownership is again being recognized, is proof that community ownership is not satisfactory.

The American Indians claimed a tribal or communistic title to the lands they occupied. At the great conference held in Vincennes, then capital of the Northwest Territory, William Henry Harrison explained that during former conferences held in Ohio, the Indians had ceded to the Great Father in Washington all the lands east of the Mississippi River.

After listening to Governor Harrison, Tecumseh arose and said that neither he nor his tribe would recognize such proceedings. He further claimed that the land belonged to all the Indians, as Indians, and no tribe or individual had the right to transfer any part of it. It came to them from their fathers and their fathers' fathers and must descend to their sons and to their sons' sons forever, and that he and his followers would continue to fight to retain their lands. As a point in constitutional law, Tecumseh raised a question that has not yet been satisfactorily answered, except that the removal of the Indians was expedient and necessary for our development.

INDIVIDUAL OWNERSHIP IS A POTENT FACTOR IN GOVERNMENT

Our method of governing consists in society as a whole exercising authority over each one of its component parts so that each individual is at the same time a governing and governed entity. The ownership of property in moderation will enable a person better to perform his dual functions in society and thereby become a better member. This property may be in lands, personal things, patents or professional knowledge. One who asserts his rights to certain property will quickly acknowledge the rights of his neighbor. From a legal standpoint, a man's property may be considered as a pledge for his good behavior and obedience to the general will. The greatest problem in the administration of laws lies in the difficulty of making effective the penalties prescribed. From the earliest times it has been difficult to proceed against or obtain reparation from a man's person. If he be placed in jail the community pays the penalty by supporting him and also loses the value of his productive activity—a double loss. If the man possesses property, it forms, as it were, a handle to the man's conduct. In the words of John Dewey, "A man's property constitutes a fulcrum upon which society may place its lever to pry its erring possessor back into the proper paths which it has established." One who has acquired a title to a home, a set of tools or to a lucrative practice in a profession would hesitate doing some misdeed whose consequences would dispossess him of that for which he has labored. He therefore would be less likely to trespass upon the rights of others and if he does so, reparation may be made to those others. Therefore both the injured individual and society are better off for his possession of that property.

Economically, title to land, tools, ideas or profession enables the owner to be a better producer, thus enriching society as a whole. Title to the above and to a home creates the highest type of social security without being a burden upon society. The demands for commodities made by an individual are usually limited only by his ability to pay. As his productivity increases,

his demands increase, so he grows on both sides of his dual relation to society. Proprietorship in tools and ideas will encourage one to become educated and to know more about his country and his abilities and this will make him a better citizen. "The philosopher ought to have the knowledge of the practical man and the practical man should have the ideas of the philosopher."

The difficulty with those who write on communism and socialism is that they stress the social ownership of property rather than its social use. They fail to discuss or explain the innate sense of proprietary rights as shown in a very young child who insists upon his control of his toys or his clothes. Even a horse or a cow will drive other animals out of the stall that has been assigned to it. How much better is it to direct this ownership into social uses than to try to stamp it out. Dean Inge, of London, when asked what he thought of common ownership said: "As to the notion of abolishing private gain, I will only make one obvious remark. If you destroy the chief motives which induce people to work hard, namely, the desire to improve their positions, and still more to give their children a good start in the world, a few people will work as well as they do now (I hope I should but I doubt it), the majority will work badly, and a considerable number will refuse to work at all, unless someone stands over them with a whip." "Our social arrangements are better for the poorer citizens than they have ever been before, and they are in the way to become still better. America leads the way. By mass production on a large scale, by the standardization and by improved machinery, rough manual toil is being eliminated and comforts hitherto undreamed of, are being put within the reach of almost all, without lengthening the day's work, or diminishing wages. This is the American alternative to Socialism; it works, whereas Socialism has always been a dead failure."

Over taxation amounting to virtual confiscation has effects similar to those of government ownership. As an illustration, the Roman government, after Diocletian passed away, levied heavy taxes on the Italian farmers. Then inspectors were sent to estimate how much each farm should produce under good management and levied taxes based upon those estimates. The farmers rebelled and began to abandon their farms and allow them to be sold for taxes. Then an edict was issued making it a criminal offense for any farmer to leave his farm without permission from the authorities. "Under these circumstances (Gibbon's *Rise and Fall of the Roman Empire*), there was no incentive for a farmer to put forth any efforts and the Italian land received less attention and became less and less fertile." "When the proportion of those who received exceeded the proportion of those who contributed, the provinces were oppressed by the weight of tributes." "The previous writers on Roman history unanimously agree that the burden of the public impositions, and particularly the land tax and capitation, was the intolerable and increasing grievance of their own times." The greatest need for this heavy taxation was for the payment to returned soldiers. Sparta was also thus impoverished. When the impending dangers of invasion by the Asiatic hordes caused fear, Athens and Sparta joined forces for protection. Athens agreed to furnish the navy and Sparta agreed to furnish the infantry. After the danger passed, Athens converted her warships into trading ships; she carried the commerce of the Mediterranean Sea and became wealthy while Sparta became poor by caring for her idle soldiers. This bit of history might well be considered at this time in making plans for our own defense. Confucius once remarked, "By using polished brass you may see to adjust your cap; by using antiquity you may learn to

foresee the rise and fall of empires." Could this be one of the reasons for the longevity of the English Empire?

Carl J. Hambro, president of the Norwegian Parliament and president of the Assembly of the League of Nations, in an address before the Contemporary Club of Indianapolis, January 21, 1941, when commenting on the world conditions, said, "The whole world should know that this is not a war between Germany and England and not even a war between two ideologies. We must understand the moral background of that contest. If some of your leading politicians had studied history instead of the election returns they would be better statesmen. They would understand that the main issues of this world conflict are moral and not political and that there can be no compromise between good and evil, between right and wrong."

THE EVIL EFFECTS OF EXTREME WEALTH IN THE HANDS OF A FEW

Under the titles on Anarchy and Communism we saw that the authors on those subjects were striving to obtain a nearly equal distribution of wealth to alleviate the oppressive poverty existing in their respective countries. This effort was commendable from every viewpoint and it can be and is being accomplished here without the overthrow of government or disturbance of our mode of production and distribution, i.e., by progressive taxation, increasing the rate as income increases. When Genghis Khan became ruler of China he limited the wealth of individuals and raised the level of the poor by giving to them title to conquered territory in almost equal parts. The government bought goods when the prices were low and sold when the prices were high. Thus the rich merchants were prevented from making huge profits. Under Genghis Khan and his grandson Kublai Kahn, China reached its peak of development. But both were dictators or totalitarians, and when Kublai died there followed disorder and chaos such as has followed the passing of every dictator in history. Will Durant, in his history of civilization, states, "Only an immortal can wisely take all power into his own hands." Confucius states that "To attain to a loftier level of civilization a people should avoid foreign relations as much as possible, and seek to make their state so independent of outside supplies that it would not be tempted to war for them. They should reduce the luxury of their courts and seek a wide distribution of wealth. They should decrease punishment and increase education, for learning will eliminate the distinction between classes."

Aristotle, after considering the effect upon society of great fortunes, said, "Therefore a ruler who would avoid a revolution should prevent extremes of poverty and wealth, a condition which is often the result of war." However, he preached about the glories of war and encouraged the young men of Greece to go with his student, Alexander, on his campaigns of conquest in Asia; most of them went. The survivors who were strong and able remained as governors of the conquered cities or territories. The maimed and sick returned home to become pensioners. Demosthenes delivered many orations against Alexander and his eastern campaigns, which availed little. Demosthenes, Aristotle and Alexander died during the same year, 322 B. C., and with them expired the greatness of Greece. Never thereafter has a leader in government, philosophy, literature, sculpture, architecture or other field of human endeavor arisen in Greece to compare with those she had previously produced. Still histor-

ians have given the appellation of "Alexander the Great" to the man who brought ruin to his fatherland. The Greek civilization prior to that period left a wonderfully rich inheritance to the world at large, but nothing of value since then. Historians agree that the cause of the dissolution of the world's great empires, Babylon, Assyria, Persia, Macedonia, Greece, Rome and the French under Bonaparte, was the cost and economic waste in attempting to govern, at long range, peoples or countries of dissimilar languages, ideals, habits, and economic environments.

THE NEW HARMONY EXPERIMENT

Robert Owen, who had tried to form a socialistic colony in northern England, came to Indiana with a number of followers and purchased of the Rappite Colony their land, buildings and equipment in New Harmony on the Wabash River not far from its confluence with the Ohio. He paid approximately \$200,000.00 and took title in his own name, promising to convey it to the new community as soon as he was convinced that the members, of whom there were more than a thousand, were sincere in their intentions and co-operative in their activities. After about two years certain members demanded that the property be conveyed to the community or divided among its members, but Mr. Owen was not satisfied when he learned that those who were making the demands were the least deserving. He refused to convey the land in whole or in part until better conditions prevailed. The colony then broke up into smaller groups, each of which endured but a few months.

One of his biographers says: "Owen had too great faith in human nature and he did not understand the laws of social evolution. Owen has done more than most who have tried to establish the doctrine of socialism, communism, anarchism and other isms, but he did not have a clear conception of the human race in its natural condition. All have refused to learn from the lessons of those who had lived before and without exception, they have found that human nature could not be materially changed by belief in a new doctrine."

As an experiment in communistic government it was an utter failure. Indeed it is almost positive proof that such a government cannot succeed for it is difficult to imagine better or more able leaders than Robert Owen, his four sons and others whom he gathered about him. In this community the first manual training school was founded and endowed, so all could take advantage of its teachings and the first woman's club was organized. If among such advantages and surroundings, these great men, devoting their lives to altruistic endeavor, could not inspire the members of this small group to co-operate for their own and the community's well-being, what arguments could convince a thinking person that such a community could now be successful under ordinary surroundings? It is simply not possible.

THE PHILOSOPHY OF KARL MARX

Adam Smith, an Englishman, is recognized as the father of political economy. He was not a socialist; but he argued that the laborers should have a fair share of the profits of industry. "No society can surely be flourishing and happy, of which the far greater part of the members are poor and miserable. It is but equity, that they who feed, clothe and lodge the whole body of the

people, should have such a share of the produce of their labor as to be themselves tolerably well fed, clothed and lodged. . . . Value simply expresses the utility of the article or its exchange value for other goods. This value may rise or fall very rapidly while the value of labor does not fluctuate. Labor alone, therefore, never varying in its own value, is alone the ultimate and real standard by which the real value of all commodities can at all times and places be estimated and compared. It is their real price: money is their nominal price only."

Upon this selection from Adam Smith's voluminous treatise, Karl Marx has built up a philosophy that has gained great influence.

In other parts of his treatise Adam Smith takes up the consideration of the manager or superintendent, the distributor and the capitalist, but Karl Marx considers only the manual laborer. He gives the following example: "Let us assume an association of free men who work with common means of production and conscientiously put forth their many individual labor powers as a social labor power. The total product of the association is a social product. A part of this product serves again as a means of production. It remains social property. But another part is a means of living consumed by the members of the association. It must therefore be distributed among them."

Marx, like all the other socialists and anarchists, recognizes no labor but physical labor. They do not recognize the value of property or means of production. Their idea is that all wealth is made by physical force and he who exerts physical force is entitled to the benefits thereof.

A single illustration will serve to show how much more complicated is the commercial world today. Let us take the sale of electric current for power or light. The actual labor employed by the company that furnishes this current is only one of its very smallest items of expense. The cost of production is the interest on the stocks and bonds representing the capital that has gone into the plant. When the laborer was making the machines now used or putting in the conduits now utilized, there was no result of his labor. The capitalist supplied compensation for the labor and has waited many years to obtain his returns. It would be absolutely impossible to determine just what the return on any labor would be in any commercial enterprise in which the production was not sold during the same week, or month or at least during the same season that the labor was applied. According to these theories, there could be no large enterprise undertaken or carried to completion. Marx fails to appreciate these items in the commercial world, and for that reason his philosophy is not well founded. All the foregoing arguments against communism and socialism apply equally to Karl Marx.

RELIGION IN GOVERNMENT

More than a generation ago Robert G. Ingersoll, the agnostic, earned a fortune lecturing against the Bible and the Christian Religion. In one of his lectures, "The Mistakes of Moses," I heard him say: "The tale about the Ten Commandments is a myth. Moses could not have written them, for then the art of writing was not known." Not many years afterward the code of Hammurabi engraved on a stone pillar in three languages was discovered in Susa or Shushan. Hammurabi flourished seven hundred years before Moses was born. It is the earliest known codified system of laws. It consists of 282 terse precepts of which 65 have to do with family relations and 23 with slaves. Others fix the wages or fees for services and others deal with fines or death penalties

for wrongful acts. Many of these laws were adopted from the former Sumerian civilization.

Moses must have used this code in formulating the Ten Commandments and indeed this was the source of many, if not all, of the precepts or laws given in the Old Testament. In his book entitled *The Codes of Hammurabi and Moses* (Jennings and Graham, Cincinnati), W. W. Davis gives first the text of Hammurabi's law and under it the Mosaic law with references to the Bible. Hammurabi's law No. 196, "Thou shalt give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, and strike for strike," is copied in Ex. 21:24 and 25; Lev. 24:20 and in Deut. 19:21. These laws are not adapted to our civilization; so when Leo Tolstoy suggested using the Bible for our code of laws he should have pointed out what parts of the Bible to use. For illustration, if a person were accused of homicide and could run to a city of refuge he would be protected. Ofttimes the biggest scoundrel was the fastest runner and could reach safety while the innocent one less speedy would be overtaken and harshly dealt with. One of the most revolting crimes on record was the deliberately planned and cunningly executed theft by Jacob of his brother Esau's birthright and there was no way to punish Jacob or compel him to restore the stolen birthright. Would we now want to live under such a legal system? Many more illustrations may be recalled to the reader's mind.

When Christ came he announced a new philosophy of life and social conduct which may be taken as the foundation of a modern system and his philosophy has been so acknowledged by our government. "Do unto others as you would that they should do unto you," and "Love thy neighbor as thyself" are fundamental with us. They mean equality before the law, equality of opportunity. Christ, however, did not assume temporal power or the control of governmental or commercial transactions. When one showed him a Roman coin bearing the imprint of Caesar and asked if it were necessary to pay tribute to Rome, Christ answered, "Render unto Caesar that which is Caesar's and unto God that which is God's." In this and several other statements he tried to convince his followers that he was not trying to overthrow or usurp temporal powers.

Many who argue against private ownership of property cite the case of the rich young man who asked what he should do to be saved, and Christ told him to go and sell all his possessions and give to the poor. But this does not argue against private ownership generally. Christ saw that this young man loved money for money's sake and his soul was being crushed by his wealth. It is not recorded that Christ rebuked the centurion whose servant he cured or Jairus whose daughter he brought back to life. Both of these men must have been very well to do financially and were under great obligations to him. Again in the parable of the rich man and his three servants, he commends the two who earned a good return and condemned the one who made no return and said, "Unto everyone that hath shall be given and he shall have abundance but from him that hath not shall be taken away even that which he hath." Math. 25:29. The Apostle Paul did not try to set up a government in opposition to that then existing; but exhorted "he that ruleth with diligence," Rom. 12:8. In this letter to the Romans and in the one to the Church in Corinth, 1 Cor. 12:12-22, he offers the best philosophy of life so far given.

This philosophy does not militate against, but rather argues for a system of laws and an organized government in which each member shall have an

important part, diligently striving to perform his function for the benefit of the whole body of society. Even if every member were doing his best there still must be rules to direct his activity so other members will know how he will act and these rules must ever be modified or amplified that they may cover activities in new developments. For example, the use of the air for wireless messages and for airplanes. In ancient times there was no clear distinction between church and state. In the Far East the church was the stronger and the power of the monarch was directed by the priests and often in the interests of the priests. The medieval theory was that both the church and the state were created by the Supreme Being, it being the duty of the church to care for one's spiritual or eternal welfare, and the state to care for his temporal needs. The line of demarkation was never well defined and throughout the ages each has tried to encroach upon the realm of the other. What is often called the struggle between religion and science is a result of this division, for science comes under the realm of the functions of the State.

In the United States we do not speak of the separation of State and Church except as an historic fact. The Church is not a part of the State. Each citizen is guaranteed the right to worship according to the dictates of his own conscience and to join the church he desires. The church has not lost its influence or importance. It has become a distinct entity; its usefulness has increased rather than decreased, as it is not controlled by the State. It was never correct to speak of the separation of the Church and State. It was really the co-ordination of the Church and the State. In John Dewey's lectures he says that the ethical nature of man is the most important and that the Church is the greatest agency for its development.

Every tribe or group in history had a favorite God and in some it was necessary for the king to be adopted by the god in formal ceremony before he could begin his reign. Marduk was Hammurabi's god. Apollo was the god of the Amphictyonic Council. The Greeks and the early Romans had many gods but during the fourth century A. D., Christianity became the national religion of Rome. Grant Showerman, in his estimable history entitled, *Eternal Rome* (Yale Press), in substantiating his thesis that the Roman State never ceased functioning, says that although the population in Rome during the invasion was reduced from one and a half million to less than twenty thousand, governmental forms and activities continued. He vividly described the ruthless sacking of the city, the destruction of the buildings, sewers, streets and monuments, the slaughter of the citizens and the flight of those able to leave. But the Christians had become accustomed to persecution, resorted to the catacombs and were more loath to leave the city which not only had been their temporal home but which typified their hope of eternal salvation. Approximately twenty thousand of the faithful Christians remained in their underground homes into which the superstitious pagan soldiers were afraid to descend. After the withdrawal of Alaric the Christians restored sections of the city which again grew to large proportions. John Dewey says that Rome would have ceased to exist and would have suffered the same fate as Babylon, Nineveh, Thebes, and other ancient cities had it not been for the Christians who furnished the binding force to hold the city organism together and gave to it the spirit of life during that terrible period.

When the Apostle Paul, that great intellectual giant, came to Rome he brought with him a new philosophy of life—something different from all pre-

ceding philosophies or religions. He "almost persuaded" King Agrippa during his trial and he must have fully persuaded great numbers in Rome, which was a pagan city, when he came, and was converted to a Christian city after his decease. At the time Paul came, Rome had a code of laws arranged during the first century B. C. These laws were more humane than in former codes and possessed an element of formal justice, but were still crude and harsh. (*Gneist Syntagma*, B. G. Teubneri, Leipsig.) During the latter part of the second and the early part of the third centuries A. D., the great Roman jurist Papinian and his pupils, Paul, Ulpian, and Modestinus, by their just decisions and interpretation of the law, brought respect and confidence to the law courts. Whether or not these judges had embraced the Christian religion is not known, but it is certain that they were influenced by its precepts.

Thomas C. Sanders, in his treatise on the *Institutes of Justinian* (Longmans Green and Co.), says: "The influence of Christianity on Roman law was both direct and indirect. Upon comparison we find changes in many branches of law in which it is not difficult to recognize the spirit of humanity which Christianity had inspired, and the disposition to get rid of the old peculiar laws by legislation was due in a large measure to the alteration of thought and feeling to which the new religion had given birth."

The Emperor Justinian had the laws of Rome codified, giving especial importance to the decisions of the judges mentioned above. The first codification was very voluminous; he then ordered a more condensed code and to this he gave the name of "The Institutes of Justinian" and promulgated it in April, 529, A. D. The introduction opens "In the name of our Lord Jesus Christ." In the first book we read: "Justice is the constant and perpetual wish to render everyone his due. Jurisprudence is the knowledge of things divine and human; the science of the just and the unjust. The maxims of law are these: to live honestly, to hurt no one, to give everyone his due."

The codes of Justinian and especially the Institutes form the basis of the law of all civilized nations and have justified the oft repeated statement, "The Romans were the law givers to the world." And the conclusion is inescapable that the influence of the Christian religion as exerted in Rome modified the old harsh precepts into a system that was and is adapted to the needs of civilized nations. This service to humanity is worth all the treasure and sacrifice devoted to Christianity throughout the ages.

CONCLUSION

As our government is based upon the best rules as shown by a comparison with the other governments of history and as our laws are pre-eminently just and humane, why should anyone desire to make a radical change? Indeed we should retain them even at great sacrifice.

As fully shown by the foregoing quotations from history and from the writings of philosophers treating of government together with the arguments based upon them, it is very evident that neither an individual nor society, may justly insist upon exercising its rights without performing its duties. Therefore if the individual or the society neglects to perform its duties, there should be no complaint when a ward boss, a state or national dictator takes charge of the affairs of government. It is just as true today as it was prior to 1776 that "Eternal vigilance is the price of liberty."