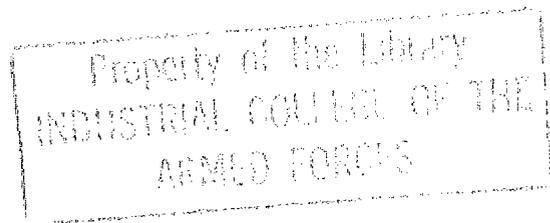




WESTERN POLITICAL HERITAGE

Dr. John J. Hallowell



NOTICE

This is a transcript of material presented to the resident students at the Industrial College of the Armed Forces. As such it represents the views of the author and not necessarily those of the Industrial College or the Department of Defense. Members of the College may quote it only in student reports or publications for use within the College. Other persons may not quote or extract for publication, reproduce, or otherwise copy this material without specific permission from the author and from the Commandant, ICAF, in each case.

Reviewed by Col R. W. Bergamy, USAF on 8 October 1963

INDUSTRIAL COLLEGE OF THE ARMED FORCES
WASHINGTON, D. C.

WESTERN POLITICAL HERITAGE

20 August 1963

CONTENTS

	<u>Page</u>
INTRODUCTION--Colonel Adolph J. Leocha, USAF, Member of the Faculty, ICAF.....	1
SPEAKER--Dr. John J. Hallowell, Professor of Political Science, Duke University.....	1
GENERAL DISCUSSION.....	48

NOTICE

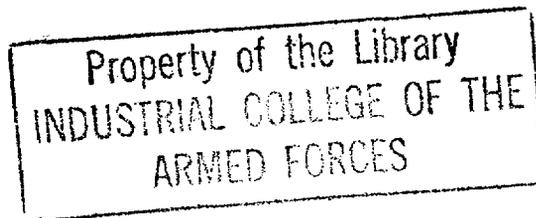
This lecture has not been edited by the speaker. It has been reproduced directly from the reporter's notes for the students and faculty for reference and study purposes.

You have been granted access to this unedited transcript under the same restrictions imposed on lecture attendance; namely, no notes or extracts will be made and you will not discuss it other than in the conduct of official business.

No direct quotations are to be made either in written reports or in oral presentations based on this unedited copy.

Reviewed by: Col R. W. Bergamyer, USAF Date: 8 October 1963

Reporter--Grace R. O'Toole



Publication No. L64-⁶/₆

INDUSTRIAL COLLEGE OF THE ARMED FORCES

Washington 25, D. C.

WESTERN POLITICAL HERITAGE

20 August 1963

COLONEL LEOCHA: Admiral Rose, Gentlemen:

Today we begin our examination of political thought in government. To make the study of the management of national security meaningful we must understand the political ideas in institutions we are trying to preserve.

Today's subject, our "Western Political Heritage," is of such importance that we are devoting an entire morning to it.

We have been most fortunate to obtain as our speaker Dr. John Hallowell of Duke University. He is regarded as a leading theorist and political scientist. Dr. Hallowell will present his views in two parts. He first will speak on some major ingredients of Western political tradition. After a 10-minute break we will hear the second part treating the free society and our means. Following a 20-minute coffee break, we will have our question-and-answer period.

It is a pleasure to introduce Dr. Hallowell.

Dr. Hallowell.

DR. HALLOWELL: Every civilization consists of two sides, what might be called an external side and an internal side. It consists on the one hand in a certain complex of institutions, political, social, legal, scientific, artistic, and religious. This might be called the external side of a civilization. It consists on the other hand of a certain mentality in the men who live in it, a frame of mind and mold of character appropriate to those institutions. This might be called the internal side of a civilization.

No civilization is self-perpetuating. A tradition is certainly helpful in maintaining a civilization, but each generation has to make that tradition its

own tradition. It is through education, principally, that that tradition is perpetuated when it is perpetuated.

I want to talk to you today about some of the major ingredients of what we call Western civilization. Western civilization is a product of many strands of thought--Greek, Hebrew, Christian, Roman. Unless these previous civilizations, like the Greek civilization and the Roman civilization, had existed and had somehow over the interval of centuries entered into the very structure of our minds, you and I would not think and act as we do. It may be objected that most people know little or nothing about these past civilizations, but that doesn't alter the fact that they exert their influence none the less. A mother who instructs her young son to take his hat off to ladies or reproves him for not giving precedence to the girls among his companions may know nothing about the history of the Middle Ages, but it is nevertheless true that the instruction which she gives her son originates in medieval chivalry. Even the language we speak is very largely composed of elements derived from Latin and Greek, and though we may know neither Latin nor Greek we may be led by the language we use to think in ways peculiar to the Greeks and the Romans.

If it is true that Western civilization is the product of a peculiar history and that it embodies a frame of mind and mold of character, then it raises the question whether Western political institutions can survive the loss of this frame of mind, or whether Western political institutions can be exported and transplanted to people who lack an education in Western ways of thinking and acting.

I am not going to attempt to answer that question, but I think it is a pertinent question to raise in the context of modern political development, particularly when we are concerned, as we are concerned today, with the problem of building up new nations and so-called underdeveloped areas of the world, whether this is going to be possible simply by exporting institutions from the West, unless somehow we

are able also to transplant the frame of mind that supports those institutions.

Let me turn more specifically to the contribution of each of the people I have mentioned previously. When we speak of the contribution of the Greeks to Western civilization, we have in mind principally the contributions of Plato and Aristotle. Both Plato and Aristotle were contending against arguments advanced by a group of Greek contemporaries, known as the Sophists. This is one of the difficulties in talking about the Greeks generally or the Greek point of view. After all, there were many points of view in Greece. The Sophists, and they were Greeks, represented one point of view. Plato and Aristotle represented another point of view.

The Sophists were itinerate teachers whose principal stock in trade was teaching young people the art of rhetoric, what perhaps we call today the art of debating--how to win an argument and get on in the world. They were rather worldly minded and in a sense were concerned with teaching young people how to be successful in the world. As a consequence, the arguments they advance sound very familiar to modern ears, which is to say, too, that the Sophists are always with us, though the label used to describe them may change from generation to generation.

The Sophists contended that what is called the good or the right is not a matter of knowledge but is a matter of opinion. This is certainly something we hear frequently stated today. From their point of view there is nothing intrinsically good or bad, right or wrong, that right and wrong are conventional terms, whether socially approved at the moment in a particular society. Morality, they contended, is not natural but conventional. They recognized that in order to live with other men peacefully in society it would be necessary for men to submit to certain restraints upon their conduct, but they wanted to say that these restraints which are imposed by society are not natural but conventional.

In one of the Platonic dialogues, the Georgias, the sophistic argument is represented^{by} a man by the name of Callicles. Callicles was the kind of man who, if living today, would describe himself as a realist, a hard-boiled realist. "The world of politics, the world of business, the world in which men become distinguished," says Callicles, "is not in need of moral principles but rather of aggressive men, men who know what they want and are willing to take any means to secure it. Power is the thing which real men strive after. What people conventionally call the good," says Callicles, "is simply the gratification of desire. What men conventionally call freedom is the ability and opportunity to get what they want. He would truly live," says Callicles, "ought to allow his desires to wax to the uttermost and not to chastise them. But when they have grown to their greatest, he should have the courage and intelligence to minister to them and to satisfy all their longings. It is because most men are not sufficiently courageous to lead this kind of life that they praise temperance and justice out of their own cowardice."

"The first law of nature," he says, "is that might makes right and no man or society can stand up against it. What men conventionally call justice is nothing more than the will of the stronger."

This view of freedom presupposes that the desire for self-satisfaction is the supreme law of human actions, that man is responsible to no one but himself, and that reason has no role to play in life except to minister to human passions and desires. From this point of view there is no such thing as a genuine community and men live most naturally alone in a state of anarchy.

This kind of argument is to be repeated many times throughout the history of the Western world, and finds particularly forceful reexpression in the 16th century in the writings of the English political philosopher, Thomas Hobbes. Curiously

enough, it is the affirmation of a kind of freedom that eventually calls forth despotism as the only way of preserving peace among men. According to Hobbes, and this would also be true of Callicles, the only thing that drives men into society and makes them sociable creatures is the fear of death. It's the desire for physical survival and that alone which explains why men enter society and live in society. The sole justification for government is that it makes possible physical survival.

Plato endeavors to answer the argument of Callicles. In one sense you might say that the whole point of Plato's intellectual effort could be summarized as an answer to the Sophists, as an answer to men like Callicles. Plato endeavors to answer Callicles by pointing out that the pursuit of pleasure itself is an endless pursuit and that the sensual desires of men are insatiable, that men never get enough of anything except for very short intervals of time. It is also characteristic of us as men that the more we satisfy our desires the more they crave. "Our souls," Plato says, "become like leaking casks that can never be filled." It is not the satisfaction of all kinds of desire without limit that men really want, but happiness. And how is happiness possible without some rational principle in terms of which we can differentiate good pleasures from bad ones? A man who does exactly as he pleases in response to the desires of the moment is not a free man nor a happy one but a slave to his passions and miserable in his bondage. He cannot truly be said to do what he pleases, for what he pleases is not within his rational control. Particularly, the more he seeks to satisfy his desires, his passions, the more he becomes simply an instrument of those passions.

If a man would be truly free and truly happy, he must have some understanding of the good which for Plato is a matter of knowledge and not a matter of opinion, and, in the light of that understanding of the good, exercise some rational

restraint over his desires. "Freedom," says Plato, in contrast to Callicles, "consists not in the pursuit of pleasure itself"--not in doing what we please--"but in a disciplined life directed to the perfection of that which is distinctively human." That which is distinctively human, according to men like Plato and Aristotle, is man's capacity for rational deliberation. It's man's rationality which distinguishes him from animals. We all know the sense in which men are like animals, but how are they different? They are different from animals in that they have this capacity to reason, this capacity to deliberate over alternative ways of acting. To develop this capacity and to live by this capacity is what it means to be truly human.

In the Republic Plato shows us that, when instinct and desire are exalted above reason, when all desires become lawful and no standard is left for choosing among them, then at last a master passion--in his own words--"as leader of the soul takes madness for the captain of its guard and breaks out in frenzy. Just as a single tyrant desire eventually takes possession of the individual who knows no restraint, so the mass of individuals in a society that knows no restraint at last submit their wills to that of a tyrant."

In a remarkably accurate description that would fit a modern Hitler or Stalin, Plato describes the despotic man as a lunatic who dreams that he can lord it over all mankind and Heaven besides. In answer to the Sophists Plato contends that restraint is necessary to perfection. No one becomes good at anything, whether it be boxing or painting, whether it be business or any activity, without submitting himself to some kind of discipline, without submitting himself to some kind of restraint.

This is true also of the excellence of man in general. A man achieves perfection to the degree to which he introduces harmony into his various activities.

Though man's submission to society involves restraint, it does not follow that it must impair his individual development. The restraint that is necessary for the development of man's proper excellence is identical for Plato with the restraint imposed on him by the requirements of political association. It's natural for man to live in society, it's good for man to live in society. What makes a man a good citizen in some sense also makes a man a good man--this is if you live in a good state.

Unlike the Sophists, who contended that the individual is naturally self-sufficient, Plato argues that man is made for community living, that by his very nature man requires the services and fellowship of other men. He can't develop his human potentialities apart from society. The state, according to Plato, is not some arbitrary, artificial instrumentality created by the consent or will of men, as some modern contract theorists would say. Rather, the state is a natural outgrowth of family life, of the need for the division of labor, of the dependency of man upon man.

It is not life itself but the good life that men desire, and the state comes into being to help men live that good life. The unity of the state consists in a rationally shared common purpose, a unity based upon a common understanding of what constitutes justice. So Plato suggests that the aim of politics is not, as Callicles would say, the acquisition and use of power, but rather the pursuit of justice. I think we have had these two points of view contending throughout the history of Western civilization, some contending that power describes wholly the end of politics, and some saying justice. From my own point of view, I think it was Pascal, the French philosopher, who put it well when he said that justice without power is impotent and power without justice is tyrannical, that the real task of politics is to reconcile power and justice. He implied that this is a

perennial, never fully accomplished task, a perennial task of politics. That is what I would be inclined to say.

There are significant differences between the political philosophies of Plato and Aristotle, ^{but} Aristotle arranges himself on the side of Plato against the Sophists. Aristotle agrees with Plato that the state is natural, not only in the sense that it is necessary to supply men's physical needs but in the further sense that it supports the nurture of man's true nature, his rationality. The state is natural to man in the same sense that the beehive is natural to the bee, but the state differs from the beehive because man's nature differs from that of the bees. The hive is governed by laws as the state is, but the bees do not live a political life. Because they don't understand these laws, they obey the laws out of instinct, in a sense, out of physical compulsion. Men have the freedom to obey or disobey. The only way you can get good political order is to elicit their cooperation in the obedience of laws. They have to be persuaded to obey. They have to have knowledge of the laws and some understanding of why they are called upon to obey the laws.

Man's understanding of the laws must be elicited. So that politics, then, is a form of rational, moral endeavor. Politics involves deliberation and choice.

Like Plato, Aristotle thought that it was one of the principal functions of the state to train men in virtue. He would say that it was one of the purposes of the state to help men to become better men, not only to intellectual but to moral and physical excellence. Aristotle gave considerable attention to the classification of forms of government. He was one of the very first to seek to classify forms of government, and that classification has come down to modern times. Some people find it unsatisfactory today, but for many centuries it was more or less accepted as a standard classification of governments.

He distinguished between three legitimate forms of government and three illegitimate forms of government, three healthy forms of government and three perverted forms of government. The three healthy or legitimate forms of government are monarchy, aristocracy, and what he called polity. The three perverted forms of government are what he called tyranny, oligarchy, and democracy. The three legitimate forms of government have this in common, that they are governments which are restrained by law. The characteristic of the illegitimate forms of government, a common characteristic of all the illegitimate forms of government, is that they are not restrained by law but are expressions of the unrestrained will of the rulers.

The forms are distinguished quantitatively. Monarchy is government by one, aristocracy is government by a few, and polity is government by many. Another characteristic of all the legitimate forms of government is that they are governments in the interest of everyone, in the public interest, we would say today. He didn't use that expression. He might say, "in the common good." The illegitimate forms of government are governments in the interest of the rulers.

So now you can, from this classification, get a definition for each one of these. Monarchy is a government of one restrained by law in the interest of all. Its perversion is tyranny, the government of one unrestrained by law in his own interest. Aristocracy is the government of a few, restrained by the laws in the interest of all. The perversion of aristocracy is oligarchy, and that is the government of a few, unrestrained by laws, in the interest of a few. Democracy, as Aristotle described it, is a perversion form of government. Democracy, as he described it, is government of the many, unrestrained by the laws, in the interest of the many. Polity is the government of the many, restrained by laws, in the interest of all.

So that, when you get his definition you see that what he describes as polity is what today we would probably describe as democracy, at least our own understanding of democracy. We would call this a constitutional democracy. I think that what Aristotle called polity describes pretty well our own form of government.

He also introduced sociological considerations into this classification of governments. He suggested that an oligarchy was the government of the few rich, and democracy, in his terms, was the government of the many poor. He thought of a polity as the most practicable of all forms of government. This would be government by a middle class. It could only survive where there was a large middle class, where you didn't have extremes of wealth and poverty.

Aristotle, more explicitly than Plato, spoke about the supremacy of the law. You notice that in his classification of governments he makes the legitimate forms of government legitimate because they are restrained by the law. We can go into this in the question period later, if you like. Plato thought, you know, that the best state would be run by philosophers who in a sense would be above the laws. He had afterthoughts about this, and in a book he called the Laws later on, the second best state he would suggest, maybe, a government of laws, would be a good form of government. But he thought of it as a second best state.

Aristotle thinks of the supremacy of the law as being essential to all good government. By supremacy of the law he meant rule in the public interest rather than rule in the interest of a faction or the interest of the ruling group. It also meant to Aristotle that the government should be carried on by general regulations and not by arbitrary decree. It also meant government carried on in the spirit of the constitution of a state.

By the constitution of a state Aristotle had a much broader view of the constitution than we do. When we think of the Constitution, very often we are inclined to think of it simply as a written document, or as a written document plus judicial implementation of that written document. For Aristotle the constitution of a state meant the way of life of a people, not simply a legal document. So supremacy of the law meant government carried on in the spirit of the constitution and the spirit of the people of a particular society.

It also meant government by the consent of the governed, as contrasted with government supported only by force and threat. He emphasized that it is part of the obligation of a ruler to win consent for his rule, to be able to explain his actions rationally, to be able to defend his decisions rationally. Moreover, he conceived that both ruler and subject are equally bound by the law--neither is superior to the law.

I might summarize here what I think are the great contributions of the Greeks to Western civilization. First of all, they bequeathed to the Western world the notion that we live in a world that is both rational and intelligible. They use their own world to describe this world. It's a cosmos, as contrasted with the other Greek word, chaos. It's not a chaos; it's a cosmos. It is governed by laws, intelligible laws. And it is by means of our own faculty of reason that we are able to make sense out of the flux of our sense impressions. Through sense impressions we know that one thing frequently follows another. Through the use of our reason, we are enabled to speak of cause and effect. We wouldn't be able to speak of cause and effect if the universe were not intelligible, if the universe were not rationally organized.

The Greeks not only had a great confidence in the ability of reason to order sensations intelligibly but they also believed that reason could

demonstrate the existence of a transcendent moral order. They believed that reason could demonstrate that there are some kinds of moral conduct appropriate to man as man, that these are not a matter of opinion but a matter of knowledge.

To put it in more modern language, they believed in the universal validity of objective standards. Society had not created those standards and could not abolish them. These standards are not expressions of what people want and desire. They are expressions of the objective nature of things.

Finally, the Greeks contributed the idea that no government is a legitimate government which doesn't acknowledge the supremacy of the law. The law they thought should be an expression not simply of the will of men but of their reason. The principles behind the law are not something we make but something we discover.

For a long time in the Western world, indeed, until the time of Hobbes, and even later, until Austin in the 19th century, it was generally thought that law was something that men discovered rather than something that they made.

This Greek idea of the supremacy of the law was developed further by the Romans and transmitted to Rome by the Stoics. I am going to leave the Stoics out. I hope you understand that in such a brief period of time to cover all this is a tremendous undertaking. So I do skip a lot. It was the Stoics and later the Romans, principally Cicero, who developed a notion that we have come to know as natural law. This idea of natural law is implicit, I think, in Greek thought, but it isn't explicitly spelled out as it is in the writings of Cicero. There is a very famous quotation that is always used from Cicero which describes this natural law. Says Cicero, "There is in fact a true law, right reason, which is in accordance with nature, applies to all men, and is unchangeable and eternal. By its

command this law summons men to the performance of its duties, by its prohibitions it restrains them from doing wrong. Its commands and prohibitions always influence good men but are without effect upon the bad. To invalidate this law by human legislation" (and this is an idea that has come down through many centuries) "is never morally right, nor is it permissible ever to restrict its operation, and to annul it is wholly impossible. Neither the Senate nor the people can absolve us from our obligation to obey this law. It will not lay down one rule at Rome and another at Athens, nor will it be one rule today and another tomorrow, but there will be one law, eternal and unchangeable, binding at all times upon all people, and there will be, as it were, one common master and ruler of men, namely, God, who is the Author of this law, its interpreter and sponsor. The man who will not obey it will abandon his better self, and in denying the true nature of a man, will thereby suffer the severest of all penalties, though he has escaped all the other consequences which men call punishment."

One important implication of this conception of natural law which has been with us in the Western societies since the time of Cicero, at least until most modern times, is that the allegiance which any citizen owes the laws of his state is a limited and conditional allegiance. No state can command our absolute and unconditional allegiance. There is implicit in this Stoic notion, as developed by Cicero, that we are all members of a human society which transcends the particular political society in which we live, and we have obligations to this cosmopolis, to this great society of mankind.

There is also implicit in this the notion that if the laws of any particular state do not conform to the laws of nature, then the laws of the state are not truly law and no one has an obligation to obey them, though he may be compelled to

do so . . . by force and suffer the consequences of disobedience.

There is still another corollary or implication from this conception of natural law as developed by Cicero and the Stoics, a very important one, namely that, in the light of this law all men are equal. This law knows neither Athenians nor Romans, Greeks nor barbarians, slaves nor free men, black nor white. Under this law all men are equal. Says Cicero, "No single thing is so like another, as all of us are to one another, and so, however we may define men, a single definition will apply to all." There is only one way of defining a man.

This is a sufficient proof that there is no difference in kind between man and man, for, if there were, one definition could not be applicable to all men, and indeed reason, which raises us above the level of the beasts, is certainly common to us all, and though varying in what it learns, at least in the capacity to learn, it is invariable.

This is a marked departure from the thought of Plato and Aristotle. In Plato and Aristotle, the theme that runs through a lot of their writing is the essential inequality of men. They are impressed with the essential inequality of men. You even find Aristotle justifying slavery. But, with the Stoics, and particularly with Cicero, the emphasis shifts to emphasize the equality of men under the natural law.

The basic views of Cicero have dominated legal thought in the West for many centuries. I don't think they were really seriously challenged until the time of Hobbes in the 16th century, and more notably by Austin in the 19th century.

When the Fathers of the American Constitution proclaimed that they were establishing a government of laws and not of men, they merely restated what Cicero

had already formulated admirably when he said, "We are servants of the law in order to be able to be free."

Having considered the contribution of the Greeks and the Romans very summarily--and I recognize it is summary--to the formation of what we might call Western civilization, we might turn to another ingredient, and that is the contribution of the Jews or the Hebrew people. Here again we have a new strand, a somewhat different strand, introduced into Western civilization. It is a strand, of course, that is influential not only upon the Jews but also upon the Christians, since Christianity derives in one sense from the Old Testament and grew out of the Jewish religion.

To the Greeks, the ultimate reality was some primal, impersonal force, some metaphysical principle, what Aristotle called the unmoved mover. What I am trying to say is that they didn't have any notion of God, for, if they did have a notion of God, it was a very ephemeral, impersonal force. The best Aristotle could say was that the ultimate reality/^{was} what he called the first cause or the unmoved mover.

The Jews taught people living in the Western world, through Christianity, to call this primal reality God. The Jews taught us that God is not a metaphysical or impersonal force but a living, active being with personality. The Jews spoke of God as a creator, which is an idea wholly foreign to the Greeks. The Jews spoke of God as the creator of the universe and of mankind. So that, following those teachings, we think of man as a creature, a creature of God.

The Greeks never conceived of the ultimate reality as either a person or--certainly not--a creator. The Jews supplied more vocabulary. They taught us to think of God as a Father, of God as a Judge. The kind of morality or right conduct which the Greek thought he derived from rational deliberations about the

nature of man the Jewish religion identified as expressions of the will of God.

Christianity combines or seeks to combine both notions. Christianity takes from the Greek the notion that morality is an expression of the reason of man, looking at the nature of man, deriving principles by looking rationally at the nature of man and what is good for him, therefore, and from the Jews the notion that moral principles are expressions of the will of God, the Commandments of God.

The Jews also contributed something that was unknown to the Greeks, and that was what I would call a more realistic understanding of the nature of evil. Not only are we conscious, but people in the past have been conscious, that there is evil in the world. Now to account for it--what is the nature of this evil? The Greeks were inclined to equate evil with intellectual error, with poor judgment. The Greeks were inclined to say that if you did the wrong thing it was because you mistook the wrong thing for the right thing, that it was a mistake in judgment, a rational error. The prophetic Rabbinic teaching, I think, reveals a more profound understanding of the roots of human evil, and this profound understanding of the roots of human evil was taken over by Christians from the Jews. The Jews and the Christians describe this evil as sin. What they mean by this is essentially that the root of all evil is pride. The root of all evil, according to both Jewish and Christian teaching, is pride, and pride can mean man's attempt to be and to act as though he were self-sufficient and autonomous, as though he were not a creature but as though he were a god.

It is when man sets himself up as an idol--and men have this propensity to set themselves up as idols, worshipping their own selves--they come necessarily into collision with God and with their fellowmen. In the attempt to exalt

himself and thus to usurp the place of God, man forfeits the divine fellowship which alone can bring him peace and fulfillment. He condemns himself to frustration and despair, to an anxious insecurity that grows more intense with every effort to overcome it.

The Jewish religion taught that it is only through repentance, by turning back to God, that man can remove the wall of alienation and regain fellowship with God and his fellowmen. Man is a creature, relative, finite, and incomplete, but he is also a creature endowed with the capacity to know and resent his finiteness, his relativity and incompleteness. In his efforts to surmount his limitations, he is tempted to forget his Creator and to insert himself at the center of all his enterprises, to make every activity serve his own self-glorification and aggrandizement.

When man thus runs amok in the pride of his spirit, his reason is warped, his natural instincts are perverted, and his relations with his fellowmen are poisoned.

There is another contribution which the Jews, through Christianity taking over some of the teaching of the Jews, have made to the Western world, and that is its understanding of history. The modern Western world's understanding of history derives from the Jews and the Christians. The Greeks had no sense of history. One writer says that the Hebrews were the first people in the ancient world to have a sense of history. They were the first to conceive of God as a God of history, manifesting Himself on the stage of time and controlling the destiny of men and nations. The Hebrews affirmed the reality and importance of time. To them it was an illusion, something from which man must escape but something which must be redeemed. For the Greeks, history was simply--they didn't use the

term, history, but if they had used that term they would have said that history was simply--the repetition of events, an endless cycle of events. For them history had no beginning and no end, and hence, despite the rationality of the Greeks, an air of melancholy very often penetrates Greek thought, because they could see no purpose to history. Aristotle even once was led to exclaim that perhaps it would have been better not to have been born at all. The Greeks could see no purpose or meaning in time. To put it simply in modern slang--it was one damn thing after another. That's why the idealism of Greek thought often ended in melancholy.

The pagan world was literally without hope. There was nothing to look forward to except the repetition of the cycle. But in the prophetic Books of the Old Testament we see the doings of men in time as the medium and vehicle of divine purpose.

From the Jewish understanding it matters tremendously what men do, since men's whole purpose of being here is the achievement or lack of achievement of salvation. It is in the context of history in time that men decide what will happen to them ultimately. The Greeks would have said that the essential characteristic of man was his ability to reason, to rationally deliberate over alternative ways of acting. The Jews would have said that this freedom of decision--although they didn't always think of it as rational--was what was meant by the image of God and man. It is man's freedom to decide what he shall do which describes his dignity as a man and which makes him in some sense like God. In his freedom of decision man confronts God and works out his destiny.

So history, as the Jews see it--and when I say the Jews I mean also the Christians, because the Christians take over the same understanding from the Jews, but I mention the Jews because the Jews were the first ones to explicitly

state it--and the Christians see it, is a divine human encounter. This sums up in one sentence the whole purpose of history. History is the field, the context in which man confronts God and God confronts man, in which God judges man and man decides what he shall do and determines his ultimate destiny.

The Jews, as you remember from the Old Testament, the prophetic Books of the Bible, are constantly talking about the judgment of God and explaining in concrete historical terms how God chastises sinful men by bringing down their kingdoms periodically in order to teach them a lesson. Thus thunders Ezekiel, "Because you are puffed up with pride and have said, 'I am a god, I sit in the seat of the gods,' therefore, behold, I will bring strangers against you, the most ruthless of nations. You are puffed up with pride because of your beauty. You have corrupted your wisdom by reason of your splendor. Therefore I have flung you to the ground and exposed you for kings to gaze at." This is typical of the kind of prophetic judgment expressed time and again in the Old Testament.

Not only does the Jewish religion emphasize the judgment of God in history and the perennial humbling of man who in his pride endeavors to usurp the role of God but it has another side to it, the other side being that man is also a co-worker with God. Not only does God chastise man in history by humbling man and bringing down his glorious kingdom when he has sinned against the Commandments but on the other hand God calls upon man to be a co-worker with Him in the building of the Kingdom of God.

To those who meet the judgment of God in history and respond to it with a change of heart, with an abandonment of all pretensions to self-sufficiency, and with a concern to reform society, these are a leaven that worked within history to help dissolve the rigid structures of sinful self-interest.

For the Jew the completion of history is nothing less than the establishment of the Kingdom of God, and this idea has had tremendous influence in Western thought. The purpose of history is nothing more nor less than the attempt on the part of men to establish the Kingdom of God on earth. We say in a Christian prayer, "Thy will be done." This is what we have in mind.

This vision of the Kingdom of God which men must work to bring about has given great zest and hope to many who have fought in the front ranks against social injustice. It has been the motive force behind most of the idealistic social reform movements of the Western world. Sometimes it is perverted. A perverted expression of it, I think, is Marxism. We might talk about this later. Marxism contains in its secularized form some of the hope inspired by this Biblical vision of history. Only it isn't the Kingdom of God that Marxism wants to bring in but the kingdom of man, and it isn't through repentance and reorientation of man's will from self to God but rather by joining the Communist Party and promoting the revolution. But the hope is similar, you see. There could have never been any Marxism if there hadn't first been Christianity and Judaism. Marxism has been described as a Christian heresy, and, I think, with good reason.

Now, when we come to discuss the influence of the Christian religion upon Western thought, we are confronted with the fact that there are several Christian traditions, and it is difficult to generalize about them all. None of you would be happy, I am sure, if I attempted to say what was the Christian point of view.

Much of what I have said about the introduction of the idea of sin, the idea of God as a personal Being, and history as a reflection of divine-human encounter and the judgment of God--all of this--of course is taken over by Christianity, too, so I needn't repeat that.

On strictly political matters, there are two different traditions in

Christianity, Christian political traditions, one sympathetic to the Greek and one not sympathetic to the Greek. Men like St. Augustine and Protestants like Luther have generally emphasized the wide gulf which separates Christian thinking from Greek thinking, and on the other hand Christian thinkers like Thomas Aquinas and Richard Hooker have found it possible to incorporate a great deal of Greek thinking into Christian thinking.

So you have two strands of Christian thought, one which is very sympathetic to Greek thought and tries to embody it in its own thinking, and another which is unsympathetic to Greek thought. The tradition which is sympathetic to Greek thought, like the thinking of Thomas Aquinas and Thomas Hooker, tends to think of the state, as Aristotle does, as natural and to think of the government as having positive functions to perform in order to provide an environment congenial to the welfare and nurture of human beings. The other tradition, represented by St. Augustine and Luther, is a more pessimistic thinking of the state as having primarily negative functions. They think of the state as not so much a positive instrument for good as a dike against sin, that the principal function of the state is to restrain men from doing evil to one another, but having primarily negative and limited functions. The other tradition emphasizes the more positive functions.

Both traditions, however, do agree in distinguishing--and this is the greatest contribution, I would say, of Christianity to the Western political tradition--between two spheres of activity--temporal and spiritual. This is something new. The Greeks never distinguished between temporal and spiritual spheres of jurisdiction. They have distinguished between the gods of the city and other gods. They thought of a state as rightly demanding, in some sense, the total allegiance of the citizens. But it is one of the distinctive contributions of Christianity

to Western civilization that it introduces a dual loyalty into life. Saint Augustine distinguishes between what he calls the City of God and the city of man. "Two cities," he says, "have been formed by two loves, the earthly by the love of self, even to the contempt of God, the heavenly by the love of God, even to the contempt of self, for the one seeks glory from men, but the greatest glory of the other is God, the witness of conscience." The two cities are conceived as intermingled and no specifically human or historical institution can ^{be} cited as a precise illustration of either. The City of God is composed of all those who love and worship the one God, and this idea has some kinship with Cicero's conception of a society coterminist with mankind, a society which transcends all the limited associations of state, race, and class, of which all men are qualified to be members simply by virtue of their humanity.

But the Christian idea of this great society of the City of God is also different from Cicero's idea, because, according to Cicero all men are members of this great brotherhood of man, this great society of mankind simply by virtue of being human. Christianity says this was God's original intention, that all men should be members of it, but, through man's arrogance and self-assertion, through his pride and arrogance in denying his creaturiness, this plan has been defeated, and since the fall of man men, therefore, can become members of this Kingdom only by grace.

Nevertheless it should be pointed out that grace can come to all men of any class, race, or citizenship. Any man whatsoever may receive the grace of God.

In the last years of the 5th century A.D., Pope Gelasius I made one of the most comprehensive statements concerning the relationship between the temporal and spiritual spheres, laying down what came to be known as the doctrine of the two swords. Before the coming of Christ, he pointed out, no sharp distinction

between
was made/priests and kings and pagan emporers often bore the title "Chief Priests."
Duties to God were not distinguished from duties to the state. In his own words,
he says, "After the coming of Christ, Who was Himself both the true King and the
true Priest, no emporer thereafter has assumed the title of priest, and no priest
has seized a regal throne, for Christ, being mindful of human frailties, separated
the kingly duties and powers from the priestly according to the different func-
tions and dignity proper to each, wishing that His people should be preserved by
a saving humility. Henceforth Christian emporers should stand in need of priests
for their eternal life and priests, for their part, should employ the aid of the
imperial government for the direction of temporal matters. Thus it was sought to
secure that both the orders might be humble, since no man could combine eminence
in both of them, and that the profession of each might be suited to the special
aptitudes of those who followed it."

According to this doctrine, the Church has its own autonomy, its own laws,
its own administrative authority and organization, and in no sense is dependent
upon the state for its existence, but stands side by side with the state, inde-
pendent of the state. And while both Church and state derive their authority from
God, each is supreme in its own sphere and independent within its own sphere of
the other. While each is supreme in its own sphere--this is the medieval notion--
each is also subordinate to the other in relation to the other's sphere. The
king, hence, is subject to the bishop in spiritual matters, the bishop subordi-
nate to the king in temporal matters.

The great disputes in the Middle Ages--and I can't go through all those, but
there were great disputes--were about the application of this principle. As you
know, popes and emperors denounced one another and sought to unseat one another,

sometimes successfully. But I think it is significant that the principle itself was never challenged. The application of the principle was challenged, because it is extremely difficult to say where the temporal realm begins and where the spiritual begins. There is a certain overlapping which is always difficult to distinguish.

From our point of view, what I want to emphasize is that ever since this notion was put forth that there is on the one hand a church and on the other hand a state, a Christian has an obligation to both, a dual loyalty. I think in this we have one of the essential bases of constitutional government. This dual loyalty does create a tension, but I think when we lose this tension we are on the verge of having totalitarian government, for the characteristic of totalitarianism is precisely that the state becomes the church, in the sense that the state becomes the final authority as to what is right and what is true. There is no institution which can challenge the state's right to say what is true and what is right. The state becomes the final arbiter of all truth, of all orthodoxy, and of all morality.

It has always been difficult--and we are experiencing it today in our own system where there is talk of church and state--and sometimes churchmen themselves have been at fault. This principle of the separation of church and state, understood in the terms in which I have just explained it, has been violated by Christians, too. Some Christians have sought to unite church and state themselves in theocratic forms, the most obvious example in our own experience being the Massachusetts Bay Colony, but it was also true in Geneva. We have seen from our experience with the Massachusetts Bay Colony how bad this can be, and how bad theocracy can be when the church takes over the functions of the state, or tries to take over the functions of the state.

The opposite extreme is the secularist who makes the state the church. This is what I would call totalitarianism. That's why I'd say that constitutional government depends upon keeping this tension between church and state, at least in the Western world, in the light of our tradition. Constitutional government depends upon keeping this notion of dual loyalty, of tension.

Those who have been anxious to assert the absolute sovereignty of the state have always been critical of the Christian religion as a divisive force in society. You frequently hear it said, even today, that the trouble with religion is that it is divisive.

Thus Jean Jacques Rousseau, the French political philosopher, complains that Jesus came to establish on earth His spiritual Kingdom. By separating the theological system from the political system He brought it about that the state ceased to be one and caused internal divisions which have never ceased to agitate Christian people. From this two-fold power there has resulted a perpetual conflict of jurisdiction which has rendered all good politics impossible in Christians today. No one has ever been able to know which one to obey, priest or political ruler.

Thomas Hobbes registered his complaint by saying, "Temporal and spiritual government are but words brought into the world to make men see double and mistake their true sovereign, which is the Leviathan."

The modern totalitarian state claims to be both church and state. It acknowledges no limitation to its competence and claims to be both the source of truth and the determiner of the purposes of society.

It is a part of both Christian and classical teaching that the purpose of a state derives from the nature of man himself. While men are free to choose the

form of government under which they live, they are not free to alter the purposes of government itself.

I haven't finished my lecture, but I think I have talked long enough. You need a break and I need a break. I'll finish up on the second lecture what I was going to say here and go on with something else I was going to talk about.

I know it's hard to listen to anybody for two hours. I am going to try to make this short. I'll stop in 40 or 45 minutes and then we will have a break and some questions.

What we had in the Middle Ages, I think, was a theoretical foundation for good government. A historian in the Middle Ages, Professor C. H. MacElwain, says that a nobler conception of kingship, a higher conception of government, even, has seldom been expressed than that of the Middle Ages. Yes, he says, injustice was rife and private war almost constant, and lords and kings alike often ruled arbitrarily and oppressively. The main political defect of the times was not a lack of principles but an almost total absence of any effective sanction for them. This is undoubtedly one of the chief reasons for the later acquiescence in royal absolutism. One tyrant was preferable to a thousand. Though the king was under the law in theory there was little effective machinery in existence to make this theory a practical reality.

So I would summarize what we've said so far by saying that we had, through the Greeks, the Romans, and the Judaic-Christian religions, and the experience of state and church in the Middle Ages, laid the foundations in theory and philosophy for good government, but what was lacking, as Professor MacElwain points out, was any effective political machinery for really translating this philosophy into practice.

So we might say that constitutional government, as we understand it today, is a product of two things. It's a product of this philosophy, this mentality which grew up through the traditions that I have talked about, plus the institutions, which are largely a contribution of modern times. By institutions I mean things like parliaments, courts of law, recognition of the rights of man, political parties, cabinet systems. This is always the trouble with generalizing. Parliaments and courts of law have roots, of course, in the Middle Ages, but still I think it's possible to say that these things are largely, as we know them, a product of modern times. By modern times I mean since the 16th and 17th centuries. That would be what I say is principally the contribution of what we have come to call liberalism. Liberalism provides us with some of the effective machinery of constitutional government.

I would be inclined to describe, if I had to characterize the Western political tradition in any one way, with a phrase. I would say that the Western political tradition has been synonymous with the attempt to establish constitutional government. This is the theme, the political thread that runs through it all. From the Middle Ages the modern world has inherited the spirit or ethos of constitutional government, but the institutions of constitutional government are largely a product of modern times.

Although Magna Carta in 1215, which is still the Middle Ages, very early proclaimed that no free man should be arrested or detained in prison or deprived of his freehold or outlawed or in any way molested, unless by the lawful judgment of his peers and by the law of the land, it remained for the 17th and 18th centuries to draft more elaborate statements enumerating the rights of men. One of the earliest of these statements was the Massachusetts Body of Liberties adopted

by the General Court of Massachusetts in 1641. The preamble to this statement describes it as the free fruition of such liberties, immunities, and priveleges as humanity, civility, and Christianity call for as due to every man in his place in proportion. It promises to every man the equal and indiscriminatory protection of law. It guarantees every man the right of petition, the right to trial by jury, protection against inhuman or barbarous punishment, the right to counsel in criminal cases.

It was followed by the English Bill of Rights in 1689. Among other things, the English Bill of Rights declared that no laws could be created without the consent of Parliament. This is putting some effective teeth into constitutional government. No money could be levied without a grant from Parliament. The people were entitled to free elections, and it was declared that legislators must have freedom of speech in the sense that they could not be held accountable outside of Parliament for anything they might say in Parliament. They could not be imprisoned or tried for things that they might say in Parliament.

The English Bill of Rights provided that there should be frequent meetings of the Parliament. Numerous bills of rights were adopted after this--the Virginia Bill of Rights in 1776, the French Declaration of the Rights of Men and of its Citizens in 1789, and the first ten Amendments to the United States Constitution were proposed by Congress in 1789.

Demands for freedom of speech, the press, and assembly, the right to petition the Government, the demand for equal protection of the law, and additional rights which we tend today to take for granted were not simply theoretical demands but demands occasioned by specific abuses. The proclamation was intended to correct prevailing injustices and to bind the Government irrevocably to their recognition.

They're one of the ways in which the modern world has given specific form and substance to the demand for individual liberty and respect for the individual personality.

The modern emphasis upon individual rights emerged during the political and religious struggles of the 17th century. In some sense they are the fruit of those struggles. Both the Protestant Reformation and the rise of capitalism had much to do with the proclamation of individual rights. When the Protestant Reformation destroyed the concept of an intervening hierarchy or priesthood between the individual and God, when it proclaimed the priesthood of all believers, a greater emphasis was placed than ever before upon individual conscience. When the Reformation deposited the Church as a fellowship of believers, each the direct concern of God, each directly responsible to God, each guided by the illumination of God in his own heart and conscience, responsibility for spiritual salvation became a very personal and individual matter. Never before had the individual had so much responsibility placed upon him. He was his own prophet and his own priest. He would acknowledge no authority but that of his own conscience. When, in fact, the Protestant found himself constrained in his religious activities, his insistence upon the right to worship God as he pleased and to follow the dictates of his own conscience led him to insist upon the many freedoms that are enumerated in these successive bills of rights.

Liberty became his watchword. But it was not license that he demanded but liberty to do what duty or conscience dictated. He insisted that the state recognize the diversity of spiritual life and protect that life in its diversity.

The demand for the recognition of individual rights not only was stimulated by Protestant individualism but also by capitalism, by economic individualism.

Capitalism was beginning to emerge in the 16th and 17th centuries by what appeared often to be the adventurous daring of individuals. A new class was emerging which came to be called the commercial class. The commercial classes needed to free themselves from the fetters of feudalism. They needed a sound currency, a stable government, uniform trade regulations, and freedom from arbitrary taxation. Commercial activity could flourish only under conditions that were calculable and stable.

The commercial classes found existing restraints incompatible with their economic aspirations, and they began to demand a greater share in the formulation and administration of governmental policy. They spoke of the right to possess things which they had acquired by their own labor, and all the early bills of rights mentioned prominently the right of property as one of the basic individual rights.

The rising commercial classes supported the parliament in opposition to the and king/through the power of the purse were able to extract political concessions from a king who was often desperately in need of money. This is one of the ways in which parliament achieved its supremacy over the absolute monarchy in the 16th century. The kings needed money to finance the wars and other activities and found that they had to call parliaments more frequently in order to get the money, and those who came to the meetings of parliament wouldn't deliver the money without first getting some redress of their grievances.

The political theory that is associated with these developments is known as liberalism. The keystone of the theory is individual freedom, a freedom that embraces not only economic freedom but political, social, intellectual, and religious freedom as well. It conceives of government as arising from a social

contract and ascribes to government the role of protecting the individual in his right to life, liberty, and property. Government is conceived of as having primarily negative functions, and a government which governs least presumably governs best.

It was a theory well suited to the time in which it emerged, and in its insistence upon civil liberties it made a significant contribution to modern government. But, with the coming of the industrial revolution, the doctrine of laissez faire proved to be inadequate, though I recognize that this subject is still being debated. There came into being with the industrial revolution a new social class, an industrial working class.

The industrial working classes began to challenge the political supremacy of the commercial classes. They began to demand and to get suffrage. They were not content with the kinds of liberties with which the commercial classes were content. On the one side the industrial revolution did provide great technological achievements, achievements that made possible a higher and more comfortable standard of living for an ever-increasing number of people. But the pauper was just as prominent as the millionaire. On the other side of the industrial revolution was the great waste of natural and human resources, human misery, and degradation. The notion that some kind of natural harmony would result from each one pursuing his own self-interest simply didn't work out in practice.

When the industrial working classes secured the suffrage and began to participate more actively in politics, they demanded that the state regulate economic activity in the public interest, that the state provide some measure of economic security for the victims of the system. The demands of the industrial working class varied from country to country. Some demanded simply an amelioration of the worst evils. Others demanded a socialist state, and still

others were attracted to communism. But in every country liberalism of the laissez fair variety was put on the defensive. That, I take it, is where we stand today.

It seems to me that there was both gain and loss in the rise of the liberal theory of the state. Through its elaboration of the rights of the individual the liberal theory did give concrete substance to legitimate demands for individual freedom. But liberalism erred, it seems to me, in tending to emphasize the inalienable and absolute nature of these rights and to neglect mention of the duties which these rights imply. The liberal endeavor, moreover, to ground these rights in the empirical nature of man in an effort to divorce them from any theological consideration ignores a fact which soon became apparent that such rights are not empirically demonstrable.

The rights of man derive not from his empirical nature but from the fact that he is a spiritual being, created in the image of God. Because we have a destiny and a responsibility which transcend the demands of the particular time and society in which we live, we must have the freedom proportionate to those responsibilities and the rights are derived from these obligations. Because rights are correlative to responsibilities they are never as absolute as the liberal believes but are relative to the way in which such responsibilities are conceived and carried out.

Not only does the liberal theory of rights need correction but also the liberal theory of the state. The state is regarded by the classical liberal not as an actual necessity, as the Greeks and the Romans and the Christians regard it, arising out of men's needs and social nature, with a purpose transcending the subjective will of individuals, but as an artificial instrumentality created by

the consent of individuals and existing to serve their desires. The state, according to the classical liberal theory, exists to satisfy men's claims, to effect their will.

This conception did not appear dangerous in any way to the 19th century liberal, for it was inconceivable to him that the will of men would be anything other than good or their claims anything other than legitimate. We have witnessed the rise of states in the 20th century, however, in which the will of men which they reflected was anything but good and the claims they advanced anything but legitimate. The rise of these states was made possible partly because of the conception of the state which was embodied in classical liberalism.

The liberal conception of society ignores the organic nature of the community and the fact that individuals require one another of necessity. Individuals do not create society but are born into it, and this fact alone imposes obligations upon them. These obligations do not require their formal consent but arise out of a relationship which is natural and essential rather than voluntary. The relation of a man in society is like the relation of parent and child. We don't choose to assume our parental and filial obligations. We have parental and filial obligations because we are parents and sons, and they rest upon a matter of fact and not upon a matter of choice.

The intellectual task, I think, of our generation is to find and formulate a political and social philosophy that can retain the truth in liberalism and transcend its errors.

I'd like to turn our attention to the American system. If we are asked to say what it is that distinguishes our form of government and way of life from

that found in the Soviet Union or some other totalitarian regime, we would respond by saying that we are a free society and they are not. And we can be rather specific in pointing to particular institutions and practices that distinguish our way of life from theirs. I might list some of these. One characteristic of totalitarian regimes is a single political party claiming a monopoly of political truth and justice. By contrast, we--and when I say we I mean those of us in the free societies of the West--believe not only in the desirability but the necessity of rival political parties. A one-party system, to our way of thinking, is a contradiction in terms.

The British have institutionalized this necessity by officially recognizing and paying out of public funds a leader of the opposition who is second in importance only to the Prime Minister and is the next Prime Minister apparent. While we haven't institutionalized this position in the same way, we do recognize both the necessity and the desirability of loyal opposition. This is something. There can't be such a thing as loyal opposition in a totalitarian regime.

Totalitarian regimes seek to manufacture a kind of consent for their rule by the extensive use of propaganda. One of the characteristics of a totalitarian government is that it exercises a monopoly of control over all the media of mass communication. In a free society the media of mass communications are in private hands. As a rule, government regulation of these media is designed to prevent a monopoly of control. While propaganda, of course, is not unknown in a free society, there are competing sources from which this propaganda emanates. Moreover, it doesn't all have the same message or the same purpose. In totalitarian regimes, when propaganda fails or falters the regime can always resort to terror, the secret police, and the concentration camps to further get across their message.

Through a wide range of civil liberties enumerated in our Constitution, and through judicial safeguards developed over many centuries out of English experience, we have developed procedures and principles which seek to guarantee the individual accused of crime a fair and speedy trial before his peers. Among the civil liberties that characterize a free society are freedom of speech and press, freedom of religion, freedom of assembly, right of petition. It is significant that would-be dictators usually seek to curtail the civil liberties of the people before they launch a frontal attack upon formal governmental institutions.

After being appointed Chancellor, one of Hitler's very first acts was the suspension by means of presidential edict of all the constitutional guarantees of individual liberties. He didn't touch the Reichstag or the courts directly. He came into dictatorial power by first destroying the civil liberties. In effect this meant that the police could arrest and detain persons, seize property, suppress newspapers, prohibit public meetings, and disband associations without legal warrants and without judicial control.

Another characteristic of the free society is that we hold our governmental officials responsible for their actions by means of free, regular elections in which, in theory, at least--in other words, we know that in practice this is not always true--there are no arbitrary qualifications for voting or holding office. Such elections are replaced in totalitarian regimes by plebiscites. A plebiscite has the form of an election but not the substance, because there is no real choice between candidates.

We could undoubtedly go on and enumerate other institutions and practices which distinguish the free society from the totalitarian, but I am sure that these

are well understood.

It is sometimes said that the distinguishing characteristic of democracy is, as the fact is expressed in the words of John Locke, that the majority have a right to act and conclude the rest, that democracy is the same as majority rule. I think it is very important that we try to understand what is meant, however, by majority rule. How are we to conceive the majority rule, and upon what principle is it based? Is majority rule based upon the principle that the will of the many should predominate over the will of the few? If that's the principle, then it is indistinguishable from tyranny, because the will of many, when it is unrestrained, is the very essence of tyranny. Unrestrained will is what we mean by tyranny.

What is demanded, it seems to me, by the democratic form of government is not submission to the will of the majority because that will is numerically superior, but rather submission to the reason-judgment of the many. It is founded upon the principle that the judgment of the many is likely to be superior to the judgment of the few. Aristotle understood this when he was describing one of the characteristics of polity. "For the many," he says, "of whom each individual is but an ordinary person, when they meet together may very likely be better than the few good, if regarded not individually but collectively. For each individual among the many has a share of virtue and prudence, and when they meet together they become in a manner one man who has many feet and hands and senses. Hence the many are better judges than a single man, for some understand one part and some another, and among them they understand the whole."

I would describe democratic government as government by persuasion and deliberation, and I would want to emphasize that democratic government, if it is to be true to this ancient tradition which I talked about in the last hour, is government by, or should try to be government by, rational deliberation. A majority vote is not

intended to take the place of discussion but to bring discussion temporarily to an end. A majority vote is conceived of as taken after you've had a discussion, in order to agree on some policy. In any organization, I think, we resent the tactics of those who call for a vote prematurely, who would cut off discussion before all the issues have been fairly and fully examined. The majority vote is simply a technical device for temporarily ending a discussion and arriving at some statement of policy. But in a democratic system the minority is always free to continue the discussion. In a democratic system the minority is always free to try to become the majority. That's one of its functions, to try to persuade the majority that they are wrong, if they think so, in the decision they've made, and to try to get them to alter it.

The majority is not always the same one but a fluctuating and changing one. Historically considered, there have been two kinds of democracy in the modern world, one emerging from English political thought and experience and the other emerging from the Jacobins at the time of the French Revolution. The philosopher of one, a form which might be designated as Anglo-Saxon democracy, is John Locke. The philosopher of the other form, which might be called totalitarian democracy, is Jean Jacques Rousseau.

Throughout American history, it seems to me, there has been competition between the two concepts of democracy, but for the most part, and until recently, we have been committed to the Anglo-Saxon form. Now, what's the difference? The Jacobin, or totalitarian form of democracy, not only believes that government should be based upon the consent of the governed--which is one of the principal ingredients of democracy--but believes in the absolute sovereignty of the people, and it tends to invest the people with absolute and unlimited power. Rousseau speaks of the general

will of the people, and, for him, the only legitimate form of government is the government that reflects the will of the people. This general will he regards as being always right and always tending to the public advantage. The people, in short, can do no wrong. They can never mistake their own best interests. The general will, moreover, is indivisible, inalienable, and infallible. The test of true law is not its conformity to reason or to the demands of justice but rather its emanation from the will of the people. Law is what the general will of the people declares it to be. In can no longer, in fact, be asked if the law is just, for justice is by definition what the people decree.

Now, such a conception of democracy can tolerate no intermediate association between the individual and the state nor any limits to what the state may do. In fact, the whole of human existence becomes the proper domain of politics. The obsessive conviction that the people can and should rule, that the general will must prevail, moreover leads very easily to the rise of a dictator who claims to know and embody the general will better than any than any elective assembly.

It is the claim of our modern totalitarian dictators--people like Mussolini and Hitler, Stalin or Castro or Peron--that they represent somehow and know the interests of the people better than the people know them themselves. They embody the general will of the people. Modern totalitarianism, it seems to me, is the end product of this kind of theory of democracy.

Now, by contrast, Anglo-Saxon democracy has never invested the rule of the majority with any unusual sanctity of authority. What I am trying to say is that it is thought that majority rule is a desirable technical device but it doesn't assign to the people fallibility. While it has assigned to the majority a legitimate and necessary role to play in politics, it has never equated the will of the

majority with what is true and good. Moreover, I think it has been characteristic of Anglo-Saxon democracy that it has been generally more in favor of representative government than of direct democracy.

While the framers of our Constitution recognized the principle that government should rest upon the consent of the governed, they thought of majority rule as a check upon government and not as a substitute for government. They established accordingly a representative government by means of which the voice of the people would be filtered through many layers of mediating institutions. They accepted a principle as put forth by Montesquieu that, although all are capable of choosing, all are not capable of being chosen. Montesquieu once said that democracy is in danger if we once forget that principle.

It is significant that no law can be adopted under our form of government by direct vote of the enfranchised population of our country nor has any officer of our government been elected by any such direct vote. There is no one majority under our system of government but many majorities for different purposes. There is no place in our system of government for a plebiscite. Not only is there no direct vote by the people but power is divided and diffused. Unlike the totalitarian form of democracy, the Anglo-Saxon democracy has always espoused rule by law and has been a constitutional form of government.

The framers of our Constitution thought that they had established a reasonably good framework of government within which men could work to find in the words of Rheinhold Niebuhr approximate solutions to insoluble problems. This is another way in which I think Anglo-Saxon politics and government have differed from modern totalitarian governments. We have never taken the whole of life as the province of politics. We have never believed that salvation could be won through politics. We have

made
never in a sense/a religion-of politics. But this is precisely what we are confronted with in the modern world--in fascism, and more particularly now in communism. We are really confronted with something which is a political religion, which holds out to men through politics the promise of salvation, the end of exploitation and injustice, paradise on earth.

The framers of our Constitution never had such plans for our system of government. They didn't think that politics could or should extend over all aspects of life or that politics could cure evils that sprang from the defects of human nature. They believed that politics had as its function creating a kind of just and peaceful environment in which men could attend to the really important affairs of life, and while they thought that politics could help to create the conditions for a good life they didn't think that this good life could in the main be achieved by political means. It is in this sense, I think, that the framers differ so radically from many modern political thinkers, for today politics have become a kind of religion, trying to perform the tasks of religion, promising men nothing short of redemption from evil and salvation.

The Marxists, for example, believe, in theory, at least, that the evil in the world is in appearance only, that it doesn't spring from some defect inherent in human nature itself, as we were taught in our tradition, but rather that it is a reflection of the prevailing capitalistic mode of production, to the private ownership of the means of production, and to the class struggle engendered by that institution. Hence they assume that evil will disappear automatically and inevitably, that with material satisfaction evil will disappear.

The Marxist believes this so strongly that he has killed untold millions of individuals, imprisoned and tortured countless others, and is determined to foment

revolution until he has achieved his goal of a worldwide dictatorship of the proletariat. Yet the ultimate goal, at least some of us think, he seeks to achieve is impossible of attainment because he doesn't understand the dimensions of evil. He might conceivably succeed in establishing a worldwide dictatorship of the proletariat, but his ultimate goal, the elimination of evil and exploitation from the world, he cannot attain by the means he has in mind, since he doesn't understand the nature of the problem. He has a false conception of the nature of men. He thinks of man as being primarily a material thing, a producing and consuming animal. If man were simply a material thing, a producing and consuming animal, then his solution would be a correct one. If evil did spring simply from material frustration, then evil could be cured by correcting that material frustration.

But all of our material needs have a spiritual dimension, and this is a thing which the Marxists overlook. Give all men enough to eat, clothes to wear, and a decent abode and they will not necessarily live forever after in peace and harmony with one another. I am not denying that men need food, clothing, and shelter, and they would be more content with a decent supply of these than they would be without a decent supply. That's not my point. But, to equate happiness with material satisfaction is greatly to underestimate human nature. However trite it may be, it is still true that men don't live by bread alone, and have never been satisfied with bread alone.

in
Professor Niebuhr has pointed out/"The Children of Light and the Children of Darkness," that even economic desires are never merely the expression of the hunger or survival impulse in human life, that they have a spiritual element, for they are always subtly compounded with a desire for power and glory. The lion's desire for food, he points out, is satisfied when his maw is crammed. Man's desire for food is

more easily limited than other human desires, yet the hunger imposed is subject to the endless refinements and perversions of the gourmand. Shelter and raiment have much more extensible limits than food. A man's coat is never merely a cloak for his nakedness but the badge of his vocation or the expression of an artistic impulse or a method of attracting the other sex or a proof of social position. A man's house is not merely a shelter but even more than his raiment the expression of his personality and the symbol of his power, position, and prestige.

There is, in other words, a spiritual dimension to men's wants, a spiritual dimension that the Marxist overlooks. The Marxist, at least in theory, seems to think that it is possible to satisfy men's material wants and that no one would want more than enough. The truth of the matter is that men's wants are insatiable. We often want more than someone else thinks is enough. And when the Marxist theory has been put into practice--and it presumably has been put into practice in the Soviet Union--we have not witnessed the disappearance of crime and evil but, if anything, their great incidence.

The Marxist overlooks the passions of men in which we find the root of evil, that is, evil that expresses itself in the form of greed, envy, and jealousy, and it is this dimension of evil which he has no means of combatting.

Now, to return to an earlier topic, I have said that our democratic institutions are designed, both individually and collectively, to preserve and enlarge the area of freedom within which individuals may fulfill their potentialities as human beings. But, however essential to the enjoyment of a freedom these institutions may be, they are not identical with freedom itself. There is no democratic institution which is not subject to perversion. All of them are subject to perversion. Free elections may be used to elect statesmen. They may be used, as we well know,

to elect demagogues.

Popularly elected legislative assemblies may neglect their deliberative role and degenerate into playing the role of a broker among competing interest groups. Indeed, there are some political scientists today who will tell you that this is principally the role of parliamentary bodies today, to serve as a broker between competing interest groups, that they have no deliberative function at all.

Freedom of speech and the press may be used to promote the intelligent discussion of significant issues or to pander to the lowest human instincts. Freedom of speech and the press may be used to deceive as well as to enlighten, to engender prejudice or to combat prejudice.

What I am trying to say is that the institutions themselves, while essential to democratic government, are not identical with freedom. They are no guarantee in themselves that democracy will be perpetuated. It's the way in which democratic institutions are conceived and used that will ultimately determine their efficacy as instruments of freedom.

Democracy is not self-validating, nor is its mere existence a guarantee of continued existence. We have to remember, in short, in this long tradition that I talked about in the first hour that, unless we have that ethos, it is my thesis that democratic institutions, however effective as machinery, won't long survive, because the spirit won't be there to support them.

Now, this is not a view that is always held today. Professor T. V. Smith has said that democracy is whatever can be arrived at democratically, and not another thing. What's wrong with that? Suppose that a democratic legislature decided by democratic procedures to do away with civil liberties. Suppose it went further and decided by democratic procedure, by taking a vote, to do away with itself as a

deliberative body. We would have no choice, if we agreed with Professor Smith, but to applaud this action as democratic. This is something more than a moot point, because this is precisely what happened in the Weimar Republic in the way in which the Nazis came into power.

No procedure is a guarantee in itself that that procedure will always be followed. Individuals will adhere to a particular procedure like the democratic one only so long as they recognize some reason for it, only so long as they value it. That reason must be derived from something beyond the procedure itself. The democratic procedure is not self-validating. You sometimes hear it said that another characteristic of democratic government is that it is based upon compromise. Well, I'm sure it is. But that isn't to say that democratic government is based upon the love of compromise. If it were, it wouldn't long survive. None of us likes to compromise. Democratic government does indeed depend upon compromise, but we are willing to make compromises, when we do, because we value some things more than the thing we are compromising. The practice of compromise depends upon the existence of a community of values and interests which unite those people who are parties to the compromise. When that community of values and interests disintegrates, then the practice of compromise is no longer possible, and you have civil war or the breakdown of politics. So democratic government can't be explained or described simply as the practice of compromise, because it couldn't long survive without a community of values and interests.

There is a great deal more I want to say but I see my time is running out. One of the things I wanted to say is that what seems to me so essential to the practice of modern democratic government is the preservation of what has been called the natural law. This I see greatly attacked today, and many people don't

even believe in it. Walter Lippman, as some of you may know, wrote a book which is essentially called "The Public Philosophy." The thesis of his book is that there has been a decline in the public philosophy. By "public philosophy" he means what I meant by natural law, what Cicero meant by natural law. He thinks that this makes democratic government more liable to decline, because democracy works only so long as there is agreement on fundamentals, so long as there is some common area within which discussion and deliberation can take place.

The deliberation we expect in democracy is really a deliberation about means rather than about ends. I think it presupposes that the question of ends has been settled and that the proper deliberation is about the best means to achieve these ends. But, if the purposes of government itself are up for discussion, if the ends of government are up for discussion, you are on the verge of civil war.

Walter Lippman calls our attention to the eclipse of the public philosophy in our country today, and he says, "The freedom which modern men are turned away from, not seldom with relief and often with enthusiasm, is the hollow shell of freedom. The current theory of freedom holds that what men may believe may be important to them but it has no public significance. The outer defenses of the free way of life stand upon legal guarantees against the coercion of belief. But the citadel is vacant because the public philosophy is gone and all the defenders of freedom have to defend in common is a public neutrality and a public agnosticism."

All of our institutions are designed to preserve individual freedom. The point is: What do we want to do with this freedom? Freedom for what? We give very little attention to the substance of freedom. We seem to be in some sense content with the fact of freedom. The important thing is what we do with the freedom, how we conceive it and how we use it.

Freedom of speech was originally justified on the grounds that it was a necessary means for the attainment of truth. As such it imposed upon those who claimed the freedom an obligation to engage in rational discussion and deliberation. It was not conceived as a license to pander to men's lowest instincts or as a license deliberately to deceive other men.

Our youth today is exposed, through thousands of cheap books, to the most sadistic and obscene suggestions on the grounds that no one is competent to distinguish between literature and writing. We have no hesitation in prescribing all kinds of measures designed to protect the bodily health of our children. For example, no one says that inoculations against physical disease--with perhaps a few Christian Scientists, but with their exception--are an infringement of anybody's freedom. I think this is because we think that health is something objective and knowable, that physical health, bodily health, is objective, while mental or moral health is something that is a matter of opinion. There is a greater consensus as to what constitutes bodily health than there is as to what constitutes moral well-being.

We tolerate assaults on our minds through the media of mass communication which we would never tolerate if these assaults were directed at our bodies. We see no basic infringement upon our liberties when we pass a pure-food-and-drug act or when we impose penalties upon brokers who lie about the securities they are offering for sale--in fact we insist upon this kind of protection--but we shrink from any restrictions upon liberty of speech and press because there is no agreement as to the form such restriction should take. And there is no agreement because we lack common standards of what is morally right.

I know I have talked too long again, but there is just one thing. There is a book I have been reading recently by Hans Morgenthau, called "The Purpose of

American Politics," and in part he says this about the same problem: "American society, like the great, vital societies of the past, was created and maintained by the belief in the universal validity of objective standards. Society had not created these standards and hence could not abolish them. The standards were the human formulation of the objective nature of things. In brief, society was believed to be imbedded in and guided by self-evident truths, rational and moral, from which society derived whatever truth was to be found in its thought and action. Regardless of one's view as to the merits of this conception of society, it is emphatically the conception that prevails in America today. In the prevailing view of social life, nothing precedes and transcends society. Whatever exists in the social sphere has been created by society itself, and the standards by which it abides are also its own. A society conceived so as to find a standard for its thought and action only within itself becomes the sovereign arbiter of all things human. The objective criteria of excellence through civilized man has learned to distinguish a work of art from trash, craftsmanship from shoddiness, scholarship from pretentious sophistication, a good man from a scoundrel, a statesman from a demagogue, greatness from mediocrity, these vital distinctions, are blurred, if not obliterated, by the self-sufficient preferences of the crowd. What the crowd desires and tolerates becomes the ultimate standard of what is good, true, beautiful, useful, and wise. What you can get away with, then, is morally permitted, what you can get accepted in the marketplace becomes the test of truth, art is what people like, what can be sold is useful, what people will vote for is sound. The honest man and the scoundrel, the scholar and the charlatan, the scholar and the hack, the statesman and the demagogue, live side by side, and it is not always easy to tell which is which."

I'd better stop here and let you ask me some questions. Maybe I can elaborate in the question period upon some of these and say some things that I didn't have a chance to say.

Thank you.

COLONEL LEOCHA: Gentlemen, Dr. Hallowell is ready for your questions.

QUESTION: Sir, I've had some trouble with the definition of liberalism. Will you give us the 20th century definition of liberalism?

DR. HALLOWELL: That's a tall order. Actually, there are two kinds of liberalism, I think, historically. We have to say that liberalism emerged in the 17th century and finds expression principally in the writings of someone like John Locke in England and Thomas Jefferson in this country--I guess they would be a good example of the early liberal thinker. This kind of liberalism I call classical liberalism. The emphasis is upon individual freedom and the rights of man. Government is conceived to come into being by voluntary contract. The classical liberal typically talks about man living previously in what he calls a state of nature and agreeing to leave that state of nature through a compact or contract, thus forming a civil society of government. So the relationship between individual and government is a contractual one. The individual agrees to obey the government, and the government in turn agrees to rule justly and to protect and defend his individual rights, particularly his rights to life, liberty, and property. In classical liberalism the emphasis very often tends to be upon property and the absoluteness of property rights. It is significant that Thomas Jefferson amended that phrase, "life, liberty, and property," in the Declaration of Independence to read, "life, liberty, and the pursuit of happiness," which is another little twist, with emphasis more upon happiness than upon property, by Jefferson, although for a lot of

people, with the framers of the Constitution the emphasis is still largely upon property. Government was conceived to govern best which governed least. We associate with liberalism in the economic sphere the theory of laissez faire.

Now, then, what happened was that, in the end of the 19th century, it became apparent that this theory of laissez fair wasn't doing justice to everyone's freedom, that it was necessary for the state to intervene, particularly in the economy, and to endeavor to regulate the economy in ways which would better promote the freedom of more people. John Stuart Mill was one one who bridged this gap between classical liberalism and more modern liberalism.

This is a curious transition. Liberalism which once defended laissez faire became associated with a welfare state. This is the confusion we have today about liberalism. At the time of Roosevelt and Hoover you would hear Hoover say he was a liberal, and you would hear Roosevelt say he was a liberal. Who was a liberal, Herbert Hoover or Franklin D. Roosevelt? They each claimed to be liberal. The trouble was that they were both liberals but they were thinking in a different tradition. Herbert Hoover was a liberal in the old, classical, 17th century notion of liberalism, and Franklin D. Roosevelt was a liberal in the more modern sense of a liberal who believes in what we would call today the welfare state. This is the confusion we have today, with Goldwater and others. Goldwater is called a conservative, but actually, from my point of view, he's not a conservative at all, he's really an old, classical liberal. His philosophy of government is essentially this old, classical liberal philosophy of government.

There's a lot of confusion in these terms. I don't know that anyone can authoritatively say, "Now, this is liberalism and you've got to take my word for it." This is one attempt to try to explain historically what happened. Freedom was thought

at first to consist of being left alone by the government to do whatever one wanted to do, particularly to use one's property as one saw fit, without any limitation. That was the classical liberalism. Modern liberalism is the attempt to assign to the government more positive functions in behalf of a freedom which is denied by this activity of the individual unrestrained by the government.

The trouble with freedom is that it is always a question of whose freedom. You might say that we've come to the view now that the manufacturer doesn't have the freedom to adulterate his product or put poisonous substances in it. At the very least we say he's got to put a label on there and tell us what is in the product, so that he can't adulterate his product. This is in some sense interference conceivably with his freedom. I wouldn't say it was an interference with an authentic freedom, but it was interference with what he might consider to be his freedom. It is an interference made necessary in order to protect the freedom of other people.

This is how modern liberalism emerges. It is an attempt to provide freedom for some people who felt their freedom was not being protected under the older view.

QUESTION: This whole concept of government interference that we read so much about has been characterized since 1935. Does this embrace a new philosophy or modification of political thought?

DR. HAKLOWELL: I don't like to use the word "interference." I don't think it's interference. I think it is a function of government. I think the Government is only doing what government ought to do. It doesn't mean a modification of this whole liberal idea. I would say it is a return to the classical notion. The Greeks would have no difficulty with this. The Greeks said the government provided a decent environment for men to mature in as human beings, where they were educated and taught a role to perform, as distinguished from the liberals who stated that

the only purpose of the state was as an arbiter, holding a ring in which people could compete with one another. This kind of laid down the rules and molded the ring, but it doesn't get in there or take sides. That was the old, classical view. I think it was denying the government a legitimate role which government by its very nature must play.

I think this is a return, if anything, to an older view of government, a more ancient view of government than such ^{that} was meant by the Greeks.

For that reason I think it is wrong to talk about interference. I don't know why it is, but some people today always assume that when the Government exercises some kind of control by its very nature it is going to be bad. We are all subject to restraints by other bodies. There is private power very often concentrated in economic corporations. Why do we assume that that power is always beneficent and that government power is never beneficent? Why do we always talk about government bureaucracy, as though government has a monopoly on bureaucracy. There is bureaucracy in economic organizations as well. Sometimes, in order to restrain them and to force them to consider the public interest, it is necessary for government to step in. I could go on on this line.

QUESTION: Sir, we usually think of ourselves as the direct inheritors of Greek and Roman and Judaic and Christian ideas. Would you care to comment on our possible legacy from such ancient, alien gentlemen as Hammurabi, and his laws; from people we think of as foreigners?

DR. HALLOWELL: I am afraid I am just not competent. I don't know enough about Hammurabi, except that he had a code of laws.

QUESTION: Sir, if the American society is abandoning its traditional ethos, as Professor Moegenthau asserts, what in your opinion is the likely direction we

may be going, and at what speed?

DR. HALLOWELL: It is hard to say. I don't like to prognosticate. If we continue in the same direction, I think there is all the likelihood that we might very well have a totalitarian regime, but I don't think that is in the immediate future. It is easier to diagnose the ill than it is to prescribe a cure for it. It is easy to recognize the decline of moral standards and a repudiation of this ethos than it is to tell people how we can recover it, and also without seeming to engage in preaching and moral exhortation. It comes down to something like that.

One thing I didn't get a chance to say in my formal remarks is that one of the reasons for this decline in ethos, I think, is the rise of what I call scientism. I was going to talk about that and didn't get an opportunity to. The modern world very obviously depends a great deal upon modern science, particularly modern scientific development in the 16th and 17th centuries. All of our technological achievements, and they are tremendous as we all know--and we all enjoy them--I am not disparaging these technological achievements--I wouldn't live without them--I like them--have had the intellectual effect of making us think that science somehow is the liberator of man and that science is the only way of achieving useful and legitimate knowledge.

The result is that when you appeal to science as the only methodology for achieving knowledge, it falls down in precisely those areas where we need some assurance. In other words, you can't prove scientifically the existence of something like moral law. It is very difficult to use science to support traditional religious beliefs. The consequence is that many people have lost their belief in some of the traditional religious teachings and some of the traditional moral teachings because they don't feel that science will permit them any longer to

hold to these beliefs. I would say that this is a dilemma we face on technological achievements. Undoubtedly it rests on the great, exalted role that science plays in our lives. But science itself can't be a liberator of man. Science itself can provide the motive power, the purpose, and the ends toward which all this is directed, but somehow we have to recover this older ethos and recognize that there are other realms of being than that which is measurable and quantifiable or that which can be discovered and tested by scientific means.

We have to free intellectually our minds, I think, to some extent from the domination of science. I think social sciences are more apt to be dominated than the physical sciences. You read some physical scientists today who talk sometimes on theoretical physics something like poets, but the social scientists are the ones, I think, who are principally dominated by this scientism. They won't "allow" us to believe anything that can't be put to the test of science. When you put some of these things to the test of science you come up with very little.

QUESTION: Doctor, we hear a lot and read a lot about man's confusion today. I wonder how this interferes with our rights and stuff. Has there been interference with the press? Can you say something on this?

DR. HALLOWELL: I suppose every government tries to put the best light on its own activities. I think it is a matter of degree. In the first instance, I expect that every government has managed the news to some extent. It's a question of whether you think they manage it more now than they did before. But certainly the implication of your question I would agree with. If democracy is governed by persuasion and deliberation, we can't obviously deliberate very well unless we have all the facts at our disposal. A free flow of information is certainly an essential part of democratic government.

The management of news, which has as its purpose to deceive people, to suppress facts which should be publicly known and debated is certainly inimical to freedom and the proper function of democratic government. It would be a matter of judgment as to whether this present Administration is any more guilty of managing news than some other Administrations. I think the management of news is something that every administration engages in.

QUESTION: Dr. Hallowell, you discussed briefly Montesquieu and his influence on the development of this current government. Would you care to comment on whether the checks and balances and the separation of power have changed appreciably today to any degree?

DR. HALLOWELL: Yes, they have. It is sometimes said that we derive our notion of the separation of powers and the checks and balances from Montesquieu. As you know, the separation of powers is that the Executive, Legislative, and Judicial branches of the Government shall be composed of of distinct, separate personnel, and that the member of one branch of the Government should not be a member of another branch of the Government, and that each should check and balance the other.

Well, this has changed, undoubtedly, but I am not sure that it hasn't changed for the better. This was good at a time when the prevailing philosophy was that the government which governs least governs best. If things were done in which you couldn't get the cooperation of all three at the same time, that was all right, because the government which governs least governs best. But I don't know that there is anything so sacrosanct about this. In truth, the British, for example, don't follow and never have followed this the same way we have. They don't believe in separation between the legislative and the executive branches of government, for example, like we do, nor does any parliamentary system. Under a

parliamentary system--which I think has some merit and may be better than our presidential system--the executive branch of the government is a committee, really, of the legislative branch. That's what the British cabinet really is. It's an executive committee for the House of Commons. This has the good advantage that the government has less difficulty getting its legislative program passed. The executive branch participates directly in the legislative body to see that its program is supported, and, indeed, stands or falls on whether or not it can get its legislative program adopted.

I sometimes think that whether it's Eisenhower or Kennedy this complete separation of the Executive and Legislative branches is a stumbling block. Come the Presidential election year, we always hold the President responsible for what happens during his term of office. This is somehow unfair, because, try as he might, because of this separation of powers, it is often impossible or very difficult for him to get a legislative program through the Congress.

If we do believe--and I think we come to believe more and more--that the functions of government should be positive, then maybe what we need is less checking and balancing and more cooperation. I don't think we have to think that the framework of government as set up by the framers of the Constitution--and I don't think that they themselves thought it--is something sacrosanct and unalterable. It should be possible to discuss the feasibility of changing some of our institutions and improving them. We don't have to stick to the frame of government precisely as described by them.

QUESTION: In our democratic or republican form of government, our representatives in Congress and other elements of the Government apparently have two choices on certain issues--that is, to take a position the way they feel or the

way they feel their constituents feel. What, in your opinion, sir, if you could elaborate on this, should be the impact of the people's thought on an issue of this type? As an example in point there is the situation which Mr. Goldwater finds himself concerning the terms of the treaty.

DR. HALLOWELL: I would rather not comment on him, but on the principle. There aren't many theories of representation. Briefly, there have been two predominant ones. One is that the representative goes there with a mandate from his constituents to vote as they think he should vote on every issue, and that he shouldn't vote until his consultants find out what they want. In this sense he is there as a delegate.

But I don't think this was the classical view of representation, or in my opinion the best view of representation, because, if a parliament or a congress is truly to be a deliberative body--and I think it should be--and if democracy, as I said before, is governed by persuasion and deliberation--not a matter of will but I think a matter of reason--then I think that the legislator should vote his conscience. He should listen to the debate, take part in it, feel free to change his mind when he is convinced by argument that he is wrong, and then he should vote his conscience.

As I said earlier, we never believed in the direct rule of the people anyway. We believe in representative government. Presumably, as I said before, if we believe everybody is capable of choosing, not everybody is capable of being chosen. I assume that we say, "This is the kind of person whom we want there to exercise his own judgment." Now, then, periodically--and that's why we have periodic elections--we expect him to come back home and explain to us why he voted the way he did and try to persuade us that he exercised his judgment in a good, wise fashion.

Whether he is reelected or not depends upon his ability to persuade us that he did act wisely. But I don't think he should consult his voters on everything that comes up or follow their mandates. I think he should lead instead of follow.

This is the present view of representation that I am expounding. We expect him to really be a leader of public opinion rather than a follower of public opinion. He should mold public opinion. This also means that people should understand that this is his function and shouldn't expect him to be a lackey.

This is the trouble with public opinion polls. I think they ought to be abandoned. Government can't be run by public opinion polls. It is not simply a matter of finding out what the majority want. It is a matter of deliberation. Public opinion polls ignore the fact that government is a matter of deliberation, listening to other people, trying to persuade other people, weighing arguments, holding hearings. It is not a matter of asking what is your opinion and acting on it.

QUESTION: Dr. Hallowell, will you distinguish between the term, "republic," and the term, "democracy?" The reason for this question is that certain people to the right of center in this country make quite an issue over the usage of these terms.

DR. HALLOWELL: Yes, they do. The first republic originally simply meant the opposite of monarchy. A republican form of government was a government of the people as distinct from government by a king or a monarch with sovereign power over the people.

These people on the right are correct historically, I think, in saying that the framers of the Constitution would have described our Government as a republican

form of government rather than a democratic form of government. Historically they are correct. If you read the accounts of the Constitutional Convention, and so on, you would be surprised at some of the terrible things they said in there about democracy. They thought of democracy in the terms in which Plato and Aristotle thought of democracy, as a perverted form of government. That's the way they would have defined democracy, as the unrestrained rule of the many in their own interest. So they were in some sense just following the Greek practice by describing democracy as a perverted form of government.

But, I think, what they were really talking about, when they were talking about a republican form of government was what Aristotle described as a polity.

It's too bad that we debate these terms rather than debate the substantive issues. I don't know that there is much point, really, in arguing about these terms, "republican" and "democratic."

While I am on this topic, I think that one of the troubles with political discussion in our country today is that too often people keep saying, "What did the framers say?" I have done this some in my lecture myself. The framers were wise men and I think they provided us with a very good constitution. As a matter of fact, we have one of the oldest forms of government in the world today. In the sense that we are not one of the oldest countries, we have one of the oldest governments in the sense of having been teaching of this form of government over a long period of time. And it has proved to be a very effective form of government.

But that doesn't mean that the framers' ideas are sacrosanct and that we can't modify, discuss, and deliberate about ways of changing some of our institutions. I think we waste too much time sometimes arguing about the question of whether they intended to establish a democracy or a republican form of government, which really isn't

the issue. The question is what we want to do today and what is it that we have today. The framers didn't believe in universal suffrage. So what? We do today and practice it. At the time the Constitution was framed there wasn't universal suffrage. There were property qualifications for voting and property qualifications for holding office. A large part of the population was disenfranchised.

QUESTION: Doctor, you mentioned the importance of agreeing on the ends of government. I wonder if you will share with us your views on the best statement of these ends and the principles that express these ends.

DR. HALLOWELL: I can only do it in the broad general terms as I did earlier. I would like to describe it as the idea that government exists for purposes of promoting justice among men, that government exists to provide the best conditions for all men to develop their full potentialities as human beings, to provide the conditions which make it possible for a man to develop his excellence as a man. This includes people of all colors, all economic classes. It is a sort of very positive role of government.

Justice is obviously a very difficult thing to define. Aristotle says it is giving each man his due. But the question, of course, is: What is a man's due? Nevertheless the difficulty is in defining justice. Constantly in our discussions we make people talk to this point. I think it is important that we make people argue in terms of justice that the proposals they put forth be justified. It is not so much that we define it as that we discuss it in these terms and argue among ourselves as to what is just in a particular situation, rather than to abandon that and say, "A lot of political scientists tell you that of course it's difficult to define justice, so you should just forget it."

You may have some other speakers tell you this later on--what comes out of legislation finally is what interest groups, through competition and with the

Government acting as a broker between these interest groups, desire, and what results is a result of this competition among interest groups. The only role of the Government is to serve as a broker between these interest groups. I think this is bad, because it is giving up too easily. It's not doing the function of government.

It is important, I think, that even though we have difficulty defining justice, still we should frame our appeals in those terms and try to explain our proposals in the light of justice. There is a professor of law in New York University Law School who has written a book called "The Sense of Injustice." He has a notion which I think has some merit. While a lot of us have difficulty defining justice, none of us has any difficulty in understanding injustice.

Maybe the way to approach this problem is is not through the question of justice but rather through the sense of injustice. Maybe he's got something there. None of us has any difficulty when we think we have been treated unjustly in explaining why we think we have been treated unjustly. I think that's the way you approach this thing, with a sense of injustice.

One of the purposes of government is to be responsive to the claims of people who have been treated unjustly, to ask whether in fact they have, and to determine what to do about it.

QUESTION: Doctor Hallowell, is there any residual of Western political heritage in Russia today in the elite groups?

DR. HALLOWELL: That I wouldn't know. There are certainly residual elements in the philosophy itself. Marxism is, after all, a product of Western thought. Marx was a German. As I said before, I don't think you could have had any Marxism if you hadn't had a previous Christian idea of Judaism. Marxism as I understand it is a secularized version, really, of Christianity. So in that sense Marxism is a Christian heresy and is a product of the West.

Then there are some residual elements in the Soviet Union itself. They have some rule of law; they have some courts. They feel a necessity of putting some policy in the form of laws. They even have the form of a parliament, although they don't have the substance of a parliament. Parliament is a purely deliberative body.

I would describe it more as an imitation and a perversion of Western institutions. To what extent there is present in the minds of the Russian elite these notions, it would be difficult for me to say. I just don't know how you find that out. I would hope there is some residual.

One interesting thing is that the Church, despite all the efforts of the Communists to destroy Christianity--and they have made systematic and deliberate efforts to try to wipe out the Church--is still a going institution in Russia. There is the Orthodox Church and there are some Peotestant sects like the Baptists. The Baptists are very numerous in the Soviet Union. The Church is very definitely a going institution. It is something that they haven't been able to eradicate. I think that is a good sign.

QUESTION: Doctor, the role of Christian influence on the constitutional form of government was part of your presentation. What effect in the long run do you see in the recent trend of judicial decisions regarding the practice of religious exercises in public schools?

DR. HALLOWELL: I haven't had time really to digest that. My wife and I argue about this. I don't know what my final conclusion is. My initial reaction was disappointment that the court should have found it necessary to outlaw the Lord's Prayer and Bible reading in the public schools on the grounds that, as one of the Chief Justices in an earlier decision said, "We are a religious people." I

think it was Justice Douglas who in an earlier decision said, "We are a religious people and we acknowledge the sovereignty of God," and so on. Well, if that is so, I can't see any great harm in acknowledging this in the public schools by reading from the Bible and saying the Lord's Prayer.

I do think in some sense--and I don't mean to be misunderstood in this-- we have become too sensitive sometimes to the views of a minority. What about the rights of the majority? The people who brought these suits have acknowledged that they are atheists, and they felt psychologically bad to be singled out as individuals who had to leave the classroom when these services were going on. They should have the courage of their convictions, and have their freedom to believe that they don't want to participate. But they should also have to bear the brunt of that belief. Why must we always be so sensitive to the conscience of such people that the majority don't have an opportunity to exercise their convictions and express their convictions.

Nobody ever said that you are immune from criticism. You are entitled to your convictions, but everybody has to bear the brunt then of not being liked, or ostracized, or criticized. If you hold these convictions, that's the price you pay for having them. I should think the atheists would recognize this and accept that role.

That was my initial reaction. I am sorry the Supreme Court did it. It was an undesirable thing. But I can see the other side. Some religious people say that this is a good thing because religion is a personal thing. You don't always like the way in which these things are done in public schools, and you might get the wrong kind of religious slant in these practices, and families would rather train their own children in their own religion.

The trouble with this is that all of us who have children, I think, recognize that you need to help a society to bring up children. I used to argue with this until I had children of my own. If education and religious training were largely a matter of training at home, one could argue with this. But I think we all recognize that, without the help of society, without the help of our neighbors, it would be hard to bring up our children the way we want to bring them up. You say, "I want you to be in by midnight" to a teenager. They think this is an arbitrary thing, and say, "My friends are all allowed to stay out until 1:00 or 2:00," and so on.

How do you enforce this when it is arbitrary and you are running against the current? The only way you can do it is if all the parents get together and agree on the time, and say, "We are all going to agree on the time and we are all going to enforce it."

It's the same way with religious instruction and these other things, I think. You need the help of the community and of the society. If religion isn't mentioned in the schools, if a prayer is never said in the schools, if the Bible is not used in the schools, the kid thinks this is a peculiarity of his parents, that they are oddballs. How much time do we spend reading the Bible with our kids and talking to them? Maybe we should do more of it and then it's our responsibility and not the school's.

What I am trying to say is that you need the help of other people. You need the help of social institutions to educate your children. You can't do it all alone. The child spends more hours in school than he does at home. The impression he gets is that religion is not a very important thing, certainly not intellectually important, and that at best it is a peculiarity of his parents that they are trying to impose upon him.

QUESTION: Doctor, we are hearing more and more about government support of political parties. Would you care to comment on this?

DR. HALLOWELL: You mean the use of public funds to help support candidates in their campaigns. I think that there is something in this, as we are all beginning to see. It doesn't seem as though you have much of a chance to be President unless you've got a personal bankroll. This isn't right. You should not have to be a Kennedy or a Rockefeller to aspire to the Presidency. There would probably be a lot of difficulty about government financing campaigns. You have to try to think up ways in which it could be done fairly. Certainly government funds, I think, could be used to publicize the qualifications of people, and maybe even within limits to pay their actual campaign expenses.

I think it would be a desirable expenditure of public funds. It would presumably mean that more people would have an opportunity to go into politics, and opportunities would not depend upon their own personal wealth.

QUESTION: You mentioned Jean Jacques Rousseau in terms of social contracts and the natural law, and so forth. He also, from my reading, gave credit to totalitarianism. Would you explain how he did this?

DR. HALLOWELL: He put emphasis on the absolute sovereignty of the people. As he expressed it, he called it the general will of the people, and he said that the people could never be wrong. The judgment must always be in the public interest, because they were infallible. That is what totalitarianism is, in a sense. The government says it reflects the general will of the people and claims it knows what is right and in the public interest, and is infallible. It is the final arbiter of all truth and all goodness. Justice is what the state commands. There is no notion of any transcendent or objective norms above the state, such as, I think I pointed out, we have in the Western tradition, of a law higher than the

law of the state.

One characteristic of totalitarian dictators--whether it be Castro or Peron or Hitler or Mussolini--is that they always claim to embody somehow in their own persons the general will of the people. They always set themselves forth as spokesmen of the people, and attribute to themselves all the qualities Rousseau attributed to the general will--infallibility.

I would say that modern totalitarianism is a form of democracy, a totalitarian democracy.

QUESTION: Based on the trend for governmental controls and regulation in the past/^{few}years, what are the prospects for socialism in about 25 or 50 years?

DR. HALLOWELL: I am not concerned--I think we worry too much about words sometimes. The trend undoubtedly is toward socialism throughout the world. It depends on how you define it. I expect that complete socialism would be government ownership of all means of production and distribution, and government operation of the economy. While we haven't got very far along that road, I think, in this country, I think you do have a thorough-going socialism in some of the Scandinavian countries and in New Zealand, and, of course, in the Soviet Union. I think we have to distinguish between the democratic socialism of Great Britain and the totalitarian socialism of the Soviet Union.

We have what I would call a social welfare state with some features of socialism. Perhaps the principal one would be something like TVA. This is a kind of mild socialism at best. We haven't gone very far. In most countries today the governments own and operate the railroads. I am not sure that that wouldn't be a good idea here, certainly if you are a commuter living on Long Island, or living up in Connecticut, and have to use the New York, New Haven, and Hartford. Maybe this would be

a very desirable thing.

I don't think we ought to be worried about the term or be frightened by the term. What we should ask in every instance is whether the Government could do it better and more efficiently than a private enterprise could, and ask this about each specific proposal that is made. The answer may be yes here and no there. It might be yes in the case of the New York, New Haven, and Hartford, and it might be no in connection with something else. I would rather that we would take each issue as it comes along and not worry so much about the term, "socialism." What is capitalism? We call our system capitalism. Why is it called capitalism today? It doesn't resemble the capitalism of the 19th century. Capitalism itself has changed.

People talk about free private enterprise. How much free private enterprise is there in fact in the American economy today? The day of the individual entrepreneur owning and managing his own factory is gone. That's small potatoes today. It doesn't describe what our economy is like. So capitalism itself has changed. What kind of capitalism are you talking about? I don't think we get very far in arguing the theoretical issues about capitalism and socialism. I think it would be much more fruitful substantively to examine each proposal as it is put forth.

I think socialized medicine is bad, but there is a specific medicare program for aged people. Is that a desirable governmental activity or not? Is government ownership of railroads desirable or not? Is government building of new power stations and dam projects in particular localities desirable or not? Let's argue each specific thing as it comes up, rather than worry about the term.

The trend is certainly toward more government participation in our economic life.

COLONEL LEOCHA: Dr. Hallowell, on behalf of the Commandant and my fellow seekers of knowledge, thank you for an incisive, interesting review of our Western political heritage.

DR. HALLOWELL: Thank you.