

THE INVISIBLE GOVERNMENT

*The JACOB H. SCHIFF Foundation
Lectures Delivered at Cornell
University, 1926*

BY

WILLIAM BENNETT MUNRO

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THE INVISIBLE GOVERNMENT

BY THE SAME AUTHOR

THE GOVERNMENT OF THE UNITED STATES

THE GOVERNMENTS OF EUROPE

THE GOVERNMENT OF AMERICAN CITIES

THE GOVERNMENT OF EUROPEAN CITIES

PERSONALITY IN POLITICS

CURRENT PROBLEMS IN CITIZENSHIP

MUNICIPAL GOVERNMENT AND ADMINISTRATION

2 vols.

To
HENRY M. ROBINSON
NEIGHBOR AND FRIEND
IN TOKEN OF
MY ADMIRATION AND GRATITUDE.

FOREWORD

These six lectures deal with some of the controlling forces in contemporary American politics. Four of them were delivered at Cornell University in 1926, and two additional lectures, given at Pomona College in 1927, have been included. I am under obligations to *The Atlantic Monthly*, *Harpers Magazine*, *The Yale Review*, *Foreign Affairs*, and *The Forum* for permission to make use of material in articles which I have contributed to these periodicals during the past year.

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CONTENTS

CHAP.	PAGE
I. FUNDAMENTALISM IN POLITICS	I
II. THE MYTH OF POPULAR SOVEREIGNTY . .	30
III. THE LAW OF THE PENDULUM	58
IV. GOVERNMENT BY PROPAGANDA	85
V. THE MONEY POWER: A DEFENSE	113
VI. OUR STRENGTHENING SECTIONALISM . . .	136

true of the forces which we dignify with the name of national traditions. Every government rests upon a combination of the past with the present,—and the past exercises a greater influence than most people realize. What we call democracy, therefore, is to a considerable extent necrocracy, or a form of government by the graveyards.¹ Old precepts and phrases are handed down from one generation to another; they become part of a nation's heritage and undergo so much pious reiteration that in time almost everybody accepts them as gospel. Eventually they are dignified with the name of national traditions and serve as obstacles to the free unfolding of public opinion. In other words, we build up a sort of political fundamentalism.

From current discussions one would gain the impression that it is only in the field of religion that men are guided by faith in formulas and decline to be influenced by either science or history. But such is by no means the case. Religion is not the only field in which fundamentalism challenges science. It is not the most important field. There is more

¹ Necrocracy is a word of my own. I cannot find it in the dictionaries. But I used the term, not long ago, in the presence of Professor Gilbert Murray and he let it pass unmolested.

fundamentalism in the political than in the religious thought of the American people to-day, and it works greater injury both to the cause of national progress and to the interests of the social order.

Even the most casual observer of our political psychology must have noticed that there are literally millions of Americans who decline to accept things on faith in the realm of religion, but who do not have the slightest compunction about swallowing the catchwords, phrases, formulas, and slogans that go to make up a creed in politics. They scoff at the miracles of Holy Writ, but are continually looking for the miraculous in government, or what would be miraculous if it ever happened—the conduct of a government according to business principles, or getting a day's work for a day's pay out of city employees, for example.

Most intelligent people regard as preposterous the idea that man was created supernaturally from the dust of the earth, but they see nothing ridiculous in the proposition that all men are created free and equal. They call that proposition a self-evident truth, when by all the teachings of science and history it is neither true nor self-evident. The modernist in religion wonders how anybody, in spite of astronomers and geologists, can believe that this

world was fashioned in six days of twenty-four hours each; but he himself finds no difficulty in believing that the constitution of the United States was struck off as a finished job in four months. When a teacher of civics tries to inculcate that idea, we do not call it fundamentalism; we call it sound Americanism, and the Sentinels of the Republic echo his praises.

Of course our national constitution and our whole frame of government are the product of evolution, just as man himself is; but how few people, even among the well educated, have learned to think of the body politic in dynamic terms! No, we prefer, most of us, to look upon the American democracy as something that rests upon inalienable rights and universal principles, a paragon of excellence which the rest of the world ought to copy but does not. Hence the laws, in most of the states, insist that the constitution be studied in schools and colleges with due regard for the sanctity of the text and with no taint of higher criticism, but rather in all its textual literalness—that is to say, in the same uncritical spirit that characterizes the fundamentalist approach to the first chapter of Genesis.

Let me put together, in a general way, the political creed of the average American as he expresses it

in his daily walk and conversation. It consists of a series of axioms which no one has ever proved to be axiomatic. "Government rests on the consent of the governed." "Democracy is government by the people." "The cure for the ills of democracy is more democracy." (What a strange article of faith that slogan embodies! Were I to say that the remedy for the ills of misgovernment is more misgovernment I should be saying something just as rational, but I should be giving you a poor opinion of my intelligence.) "Ours is a government of laws, not of men." "The executive and legislative branches of the government should be kept separate." "Checks and balances are essential safeguards of popular liberty." "No taxation without representation." "Direct primaries ensure the people's choice." "Self-determination and home rule." "A government is best when it governs least." "Avoid entangling alliances." "State rights." "Due process of law." "The office should seek the man, not the man the office." (The office does seek the man sometimes, but not often—about as often as a burglar goes seeking a policeman.) "The rule of public opinion." "Political parties are groups of voters who think alike and have a common program." And last, but by no means

least, "The equality of all citizens before the law."

These formulas of democracy, I believe, are accepted as gospel by the great majority of the American people. They are taken on faith by men and women who insist on rationality in religion. Yet it can readily be demonstrated that no one of them is rational without large qualifications, while some of them embody only a half truth, or no truth at all. They serve as the chief cornerstones of the American necrocracy. They have come down from earlier days, enshrined in the literature of patriotism, and so often reiterated from generation to generation that they now form a sort of biological inheritance.

In some cases the results have been detrimental to progress in politics and even to sanity in the processes of government. Take the dogma of human equality, for example. It is a very pleasing idea, this proposition that all men and women are created free and equal, and especially alluring to those who by all the tests of reality are inferior. Thomas Jefferson inherited it from John Locke, wrote it in the Declaration, and for a hundred and fifty years this egalitarian principle has colored our whole political philosophy. It has profoundly influ-

enced our constitutions, laws, and judicial administration. It was largely responsible for the series of errors which the national government made in its dealings with the South during the reconstruction era. Our homage to it is forever embalmed in the Fifteenth Amendment which by fiat of law undertook to erase all the elemental differences among men due to race, color, or previous condition of servitude.

Yet a moment's reflection will convince any one that this postulate of human equality is absolutely at variance with everything else in the range of human knowledge. Every biologist knows that men are not created equal in body; every educator knows that they are not created equal in mind. And any one who observes the course of our politics is readily made aware of the fact that all men are not equal in their influence upon government—never were so and never can be. These things are as plain as any facts of biology or history can be, yet the man who would venture to advocate a system of government based upon the demonstrable inequality of men would promptly find his teaching stigmatized as un-American, undemocratic, and a menace to our institutions. He would be investigated by the school board at the demand of the American Legion.

In the practice of American government this doctrine of human equality has done no end of harm. By its crude implications it has afforded good soil for the growth of the spoils system and the practice of rotation in office, two of the most noxious weeds in the garden of American politics. If all citizens are equally competent to govern their fellow men, why should we endeavor to choose among them on the basis of their special qualifications? If all citizens are endowed with the same political capacity, why let any one stay in office very long? Our reluctance to make use of experts in any branch of public administration is in large measure a by-product of this national obsession. The most formidable obstacle in the path of civil service reform is not the avarice of the politician. It is the deep-seated popular conviction that any able-bodied citizen, whatever his competence or lack of it, has an equal and indefeasible right to a place on the public payroll. Civil service reform is deemed by many thousands of people in this country to be undemocratic because it throws public employment open to competition, and there is nothing like an open competition to demonstrate the essential inequality of men.

Of course we have been careful not to carry the doctrine of equality too far. We do not project it

into the field of taxation, for example. Oh no, not at all! Men may be equal in their capacity to govern, but not for one moment do we hold them equal in their capacity to bear the burdens of government. When it comes to the framing of our tax laws, we adopt the exact antithesis of the leveling principle. We go on the tacit assumption that men are vastly unequal in their ability to earn and in their ability to pay. In other words, we exalt the common man so far as his share in the control of government is concerned, but when it comes to liquidating the cost of this control—well, at that point the common man seems to lose all interest in the philosophy of Jefferson and Rousseau. He is willing to concede the superiority of the few when sacrifice is involved, and asserts the natural rights of the many only when power and patronage are concerned. I am not arguing, of course, that all men should be equally taxed. I am merely pointing out that this postulate of human equality goes quickly into the discard when it conflicts with the practical necessities of government. A principle always gives way when its application conflicts with the plain interests of the governing class.

American government is deemed to be unique in that it rests on the consent of the governed. This,

of course, does not include aliens, negroes, Filipinos, or inhabitants of the District of Columbia. The consent of the governed is a synonym for the will of the majority, and the will of the majority is expressed by a plurality of those who take the trouble to vote. There is a considerable spread between the two, as the figures disclose. For example, the census of 1920 showed approximately fifty million American citizens of voting age. Of this total, only about twenty-six million voters actually went to the polls in the presidential election of the same year. The successful candidate for the presidency was said to have "swept the country," yet he received the votes of only thirty per cent of the people who were legally qualified to exercise the suffrage. Fifteen per cent of the total population gave the "consent of the governed" for all the rest! This, moreover, was an unusually good showing, in a presidential election where momentous issues were at stake. Taking our state and municipal elections and averaging them for the country as a whole, the figures show that the will of the people is regularly expressed by less than twenty per cent of our adult citizenship, or about ten per cent of the population. What Americans have in fact, therefore, is not a government by the whole people, or by a majority