

Mr. Black's attack on historian David Muzzey for saying that "the red hand of communism was likewise at work in Cuba where dictator Castro" went in for confiscating American property is hoity-toity nitpicking. For Castro is a communist, as Mr. Black very well knows. ♦

► AMERICA'S POLITICAL DILEMMA by Gottfried Dietze (Baltimore: The Johns Hopkins Press, 1968), 298 pp., \$7.95.

Reviewed by Edmund A. Opitz

THIS BOOK is an analysis of the theory of Popular Sovereignty as this idea has worked itself out in the American experience since 1789. It takes a somber view of these events, arguing that the development has been away from the libertarian ideals of the framers of the Constitution toward a domestic policy which transgresses individual liberties and a foreign policy which pursues a will-o'-the-wisp at a cost which is enormous — however measured. This is a scholar's book, closely reasoned and well documented; but its thesis will displease many in the academic community because it refuses obeisance to the shibboleth of "democracy." The serious student of public affairs, however,

will find this book helpful as he surveys the present mess and wonders how we got this way.

Professor Dietze aligns himself with that scholarly opinion which maintains that the American Revolution was not a revolution in the strict sense. "It did not overturn a legitimate order," he writes, "but restored the rule of law and its protection of the individual against the machinations of human lawmakers whose acts, while often legal, were not legitimate." There would not be a monarchy in the United States; sanction for the exercise of rule would be the consent of the people—but with constitutional safeguards. "The democratic principle of popular participation in government," he writes, "was to guarantee the liberal principle of the protection of the individual from the government. Popular government was considered a means for the protection of the individual under a Constitution embodying a rule of law which had been cherished for centuries. The American Revolution was in the mainstream of the constitutionalist development of the common law."

In this nicely balanced equation, liberalism acted as a counterbalance to democracy; liberalism assured a protected private domain for persons, while democracy put political office within reach of

all and gave the masses a place at the polling booth. But circumstances conspired to make democracy attempt the work of liberalism, and already in the 1830's Tocqueville warned of the emergence of "democratic despotism." The warning was not heeded.

Some background might be helpful: Many men lust after power, hence the divine right of kings idea which came in with the Renaissance. James I of England liked the divine right idea, for it placed him above the law. James was not accountable to any man, for his authority was bestowed directly on James by God himself. These notions did not go unchallenged, even in James' day, and the famous confrontation with Coke is well remembered.

But today, any power seeker or would-be dictator who claimed his right to rule was authorized by God would be thought mad; today's dictators claim to derive their authority from The People. This century is the age of Totalitarian Democracy, to borrow J. L. Talmon's phrase. Democratic theory has worked out its answer to the perennial question: Who shall Rule? And, boiled down, democracy's answer is: The People. Sovereignty is thought to reside in The People; and once this answer comes to be accepted without qualification, some people do things

to other people in the name of The People which no people would have done or suffered under any monarch.

These dreadful consequences occur whenever the idea of Popular Sovereignty crowds the most important of all political questions off the boards. This fundamental question has to do with the nature, scope, and functions of government. As the question was phrased by Whig and Classical Liberal theorists it ran: What shall be the extent of rule? Those who pondered this question elaborated the body of doctrine known as liberalism—in the old sense. To be a liberal, then, meant to subscribe to such ideas as limited government, constitutionalism, the rule of law—in order that each individual might have sufficient latitude to pursue his personal goals without arbitrary interference from either government or other individuals. Along with its emphasis on individual liberty, liberalism emphasized a man's right to his earnings and his savings, that is to say, his right to his property.

Once a people embraces the philosophy of classical liberalism, they have accepted an answer to the question: What shall be the extent of rule? They then face the question of choosing personnel to hold public office (Who shall rule?)

and, given the temper of the eighteenth and nineteenth centuries, the answer was bound to be that offered by democratic theory: Let the masses participate in the political process. Thus, liberal democracy, or the Federal republic, whose features are laid down in the Constitution and defended in *The Federalist*. We had it all, once upon a time, in these States. What happened to it, and where did it come a cropper? Turn back now to Professor Dietze's admirable book.

The theory of Popular Sovereignty had no place in it for civil war; habituated to thinking in terms of large abstractions, it could not imagine how The People could revolt against itself! But the American Civil War, a multi-dimensioned tragedy, was thrust upon us; and Professor Dietze reopens the academic debate that rages around Lincoln's handling of power. Lincoln did act outside the Constitution, and it might be argued that the means were justified by the ends, so perilous were the exigencies of the occasion. But the occasion passed, whereas the precedents remained, resulting in a growing national unitary state and a greatly strengthened executive. In the postwar period there was governmental intervention in the areas of price control, wages and hours legislation, rate regulation, and restrictions on the free-

dom of contract. "By the end of the nineteenth century," Dietze writes, "there was a general awareness that free property and free enterprise were in for serious challenges."

America's glacial drift away from its original institutions and ideals was obscured up until World War I because of the growing admiration abroad for America's expanding wealth and power. But as liberalism declined, the strengthened lever of the central government came to be regarded as there to be used by this faction or that for their partisan and personal ends, first on the domestic scene, then anywhere. In the original constitutional plan, domestic and foreign policy were the two faces of one coin. The government was not to try to regulate the peaceful actions of citizens; and in relation to other nations, America was committed to a policy of neutrality and noninterference with the internal affairs of other peoples. "*The Federalist*," writes Professor Dietze, "proposes a foreign policy in the long-range national interest, a policy which corresponds to an internal policy favoring free government and the long-range public interest." From the days of the French Revolution on, popular passions in America reverberated occasionally to democratic movements abroad, but they did not

sway the makers of foreign policy who were guided by "constitutional reason." The shift from neutralism to internationalism occurred around the turn of the century, but it was the moralisms of Woodrow Wilson which finally opened the floodgates. Hardheaded considerations of national interest make for peace, but they do not convey the same emotional impact as statements about "national integrity," "human rights," and a "world safe for democracy." We abandoned rationality as the guiding principle of our foreign policy, as domestically we had accepted its correlative, majoritarian democracy. Those who manage and further domestic affairs in the interests of the Great Society will also manage foreign affairs; and because these men vibrate in sympathy with their like numbers in other nations where these trends are more advanced, our foreign policy has lost its head—so to speak—and makes less and less sense as the years go by. Professor Dietze says it better:

Since the democratization of foreign policy makers in a large measure was brought about by a movement which favored social legislation over laissez faire, "liberalism" over liberalism, absolute majority rule over free government, there was also a good chance that the substance of foreign policy would change. This

could mean that just as foreign policy previously favored liberalism, now it could favor foreign systems and movements that were akin to the programs of the Progressives, the New Freedom, the New Deal and the New Frontier. Since these programs emphasized social rather than property rights, "civil" rather than civil rights, national power rather than federalism, a concentration of power in the political branches of government rather than the separation of powers, foreign policy could well come to favor similar trends abroad. It could even become captivated by foreign movements that went further to the left, such as socialism and Communism.

No one can survey the record of the past generation and argue that the United States has pursued a foreign policy geared to hardheaded reasons of national interest. Rather, with will numbed, we have witlessly stumbled into one bloody situation after another, losing prestige abroad and spreading dissension at home.

What are the prospects? Can we go beyond the present dilemma? History is made by men and men are moved by ideas. When a significant number of people, like Professor Dietze, come to identify the wrong ideas which have generated the present muddle, and discard them for sound ideas, they'll make a different history. ♦

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