

## Chapter 2

# Survivals of Militarism in City Government

We are accustomed to say that the machinery of government incorporated in the charters of the early American cities, as in the Federal and State constitutions, was worked out by men who were strongly under the influence of the historians and doctrinaires of the eighteenth century. The most significant representative of these men is Thomas Jefferson, and their most telling phrase, the familiar opening that “all men are created free and equal.”

We are only now beginning to suspect that the present admitted failure in municipal administration, the so-called “shame of American cities,” may be largely due to the inadequacy of those eighteenth-century ideals, with the breakdown of the machinery which they provided. We recognize the weakness inherent in the historic and doctrinaire method when it attempts to deal with growing and human institutions. While these men were strongly under the influence of peace ideals which were earnestly advocated, both in France and in America, even in the midst of their revolutionary periods, and while they read the burning poets and philosophers of their remarkable century, their idealism, after all, was largely founded upon theories concerning “the natural man,” a creature it seems of their sympathetic imaginations.

Because their idealism was of the type that is afraid of experience, these founders refused to look at the difficulties and blunders which a self-governing people were sure to encounter, and insisted that, if only the people had freedom, they would walk continuously in the

paths of justice and righteousness. It was inevitable, therefore, that they should have remained quite untouched by that worldly wisdom which counsels us to know life as it is, and by that very modern belief that if the world is ever to go right at all, it must go right in its own way.

A man of this generation easily discerns the crudeness of that eighteenth-century conception of essentially unprogressive human nature in all the empty dignity of its "inborn rights."<sup>4</sup> Because he has grown familiar with a more passionate human creed, with the modern evolutionary conception of the slowly advancing race whose rights are not "inalienable," but hard-won in the tragic processes of experience, he realizes that these painfully acquired rights must be carefully cherished or they may at any moment slip out of our hands. We know better in America than anywhere else that civilization is not a broad road, with mile-stones indicating how far each nation has proceeded upon it, but a complex struggle forward, each race and nation contributing its quota; that the variety and continuity of this commingled life afford its charm and value. We would not, if we could, conform them to one standard. But this modern attitude, which may even now easily subside into negative tolerance, did not exist among the founders of the Republic, who, with all their fine talk of the "natural man" and what he would accomplish when he obtained freedom and equality, did not really trust the people after all.

They timidly took the English law as their prototype, whose very root is in the relation between sovereign and subject, between law-maker and those whom the law restrains, which has traditionally concerned itself more with the guarding of prerogative and with the rights of property than with the spontaneous life of the people. They serenely incorporated laws and survivals which registered the successful struggle of the barons against the aggressions of the sovereign, although the new country lacked both nobles and kings. Misled by the name of government, they founded their new government by an

involuntary reference to a lower social state than that which they actually saw about them. They depended upon penalties, coercion, compulsion, remnants of military codes, to hold the community together; and it may be possible to trace much of the mal-administration of our cities to these survivals, to the fact that our early democracy was a moral romanticism, rather than a well-grounded belief in social capacity and in the efficiency of the popular will.

It has further happened that as the machinery, groaning under the pressure of new social demands put upon it, has broken down that from time to time, we have mended it by giving more power to administrative officers, because we still distrusted the will of the people. We are willing to cut off the dislocated part or to tighten the gearing, but are afraid to substitute a machine of newer invention and greater capacity. In the hour of danger we revert to the military and legal type although they become less and less appropriate to city life in proportion as the city grows more complex, more varied in resource and more highly organized, and is, therefore, in greater need of a more diffused local autonomy.

A little examination will easily show that in spite of the fine phrases of the founders, the Government became an entity by itself away from the daily life of the people. There was no intention to ignore them or to oppress them. But simply because its machinery was so largely copied from the traditional European Governments which did distrust the people, the founders failed to provide the vehicle for a vital and genuinely organized expression of the popular will. The founders carefully defined what was germane to government and what was quite outside its realm, whereas the very crux of local self-government, as has been well said, is involved in the "right to locally determine the scope of the local government," in response to the needs as they arise.

They were anxious to keep the reins of government in the hands of the good and professedly public-spirited, because, having staked so much upon the people whom they really knew so little, they became

eager that they should appear well, and should not be given enough power to enable them really to betray their weaknesses. This was done in the same spirit in which a kind lady permits herself to give a tramp five cents, believing that, although he may spend it for drink, he cannot get very drunk upon so small a sum. In spite of a vague desire to trust the people, the founders meant to fall back in every crisis upon the old restraints which government has traditionally enlisted in its behalf, and were, perhaps, inevitably influenced by the experiences of the Revolutionary War. Having looked to the sword for independence from oppressive governmental control, they came to regard the sword as an essential part of the government they had succeeded in establishing.

Regarded from the traditional standpoint, government has always needed this force of arms. The king, attempting to control the growing power of the barons as they wrested one privilege after another from him, was obliged to use it constantly; the barons later successfully established themselves in power only to be encroached upon by the growing strength and capital of the merchant class. These are now, in turn, calling upon the troops and militia for aid, as they are shorn of a pittance here and there by the rising power of the proletariat. The imperial, the feudal, the capitalistic forms of society each created by revolt against oppression from above, preserved their own forms of government only by carefully guarding their hardly won charters and constitutions. But in the very countries where these successive social forms have developed, full of survivals of the past, some beneficent and some detrimental, governments are becoming modified more rapidly than in this democracy where we ostensibly threw off traditional governmental oppression only to encase ourselves in a theory of virtuous revolt against oppressive government, which in many instances has proved more binding than the actual oppression itself.

Did the founders cling too hard to that which they had won through persecution, hardship, and, finally, through a war of revolution? Did

these doctrines seem so precious to them that they were determined to tie men up to them as long as possible, and allow them no chance to go on to new devices of government, lest they slight these that had been so hardly won? Did they estimate, not too highly, but by too exclusive a valuation, that which they had secured through the shedding of blood?

Man has ever overestimated the spoils of war, and tended to lose his sense of proportion in regard to their value. He has ever surrounded them with a glamour beyond their deserts. This is quite harmless when the booty is an enemy's sword hung over a household fire, or a battered flag decorating a city hall, but when the spoil of war is an idea which is bound on the forehead of the victor until it cramps his growth, a theory which he cherishes in his bosom until it grows so large and near that it afflicts its possessor with a sort of disease of responsibility for its preservation, it may easily overshadow the very people for whose cause the warrior issued forth.

Was this overestimation of the founders the cause of our subsequent failures? or rather did not the fault lie with their successors, and does it not now rest with us, that we have wrapped our inheritance in a napkin and refused to add thereto? The founders fearlessly took the noblest word of their century and incorporated it into a public document. They ventured their fortunes and the future of their children upon its truth. We, with the belief of a progressive, developing human life, apparently accomplish less than they with their insistence upon rights and liberties which they so vigorously opposed to mediaeval restrictions and obligations. We are in that first period of conversion when we hold a creed which forecasts newer and larger possibilities for governmental development, without in the least understanding its spiritual implications. Although we have scrupulously extended the franchise to the varied immigrants among us, we have not yet admitted them into real political fellowship. It is easy to demonstrate that we consider our social and political problems almost wholly in the

light of one wise group whom we call native Americans, legislating for the members of humbler groups whom we call immigrants. The first embodies the attitude of contempt or, at best, the patronage of the successful towards those who have as yet failed to succeed. We may consider the so-called immigration situation as an illustration of our failure to treat our growing Republic in the spirit of a progressive and developing democracy.

The statement is made many times that we, as a nation, are rapidly reaching the limit of our powers of assimilation, that we receive further masses of immigrants at the risk of blurring those traits and characteristics which we are pleased to call American, with its corollary that the national standard of living is in danger of permanent debasement. Were we not in the midst of a certain intellectual dearth and apathy, of a skepticism in regard to the ideals of self-government which have ceased to charm men, we would see that we are testing our national life by a tradition too provincial and limited to meet its present motley and cosmopolitan character; that we lack mental energy, adequate knowledge, and a sense of the youth of the earth. The constant cry that American institutions are in danger betrays a spiritual waste, not due to our infidelity to national ideals, but arising from the fact that we fail to enlarge those ideals in accord with our faithful experience of life. Our political machinery devised for quite other conditions, has not been readjusted and adapted to the successive changes resulting from our development. The clamor for the town meeting, for the colonial and early century ideals of government is in itself significant, for we are apt to cling to the past through a very paucity of ideas.

In a sense the enormous and unprecedented moving about over the face of the earth on the part of all nations is in itself the result of philosophic dogma of the eighteenth century—of the creed of individual liberty. The modern system of industry and commerce presupposes freedom of occupation, of travel, and residence; even more, it rests

unhappily in a large measure upon the assumption of a body of the unemployed and the unskilled, ready to be absorbed or dropped according to the demands of production: but back of that, or certainly preceding its later developments, lies "the natural rights" doctrine of the eighteenth century. Even so late as 1892 an official treaty of the United States referred to the "inalienable rights of man to change his residence and religion." This dogma of the schoolmen, dramatized in France and penetrating under a thousand forms into the most backward European States, is still operating as an obscure force in sending emigrants to America and in our receiving them here. But in the second century of its existence it has become too barren and chilly to induce any really zealous or beneficent activity on behalf of the immigrants after they arrive. On the other hand those things which we do believe the convictions which might be formulated to the immeasurable benefit of the immigrants, and to the everlasting good of our national life, have not yet been satisfactorily stated, nor apparently apprehended by us, in relation to this field. We have no method by which to discover men, to spiritualize, to understand, to hold intercourse with aliens and to receive of what they bring. A century old abstraction breaks down before this vigorous test of concrete cases and their demand for sympathetic interpretation. When we are confronted by the Italian lazzaroni, the peasants from the Carpathian foothills, and the proscribed traders from Galatia, we have no national ideality founded upon realism and tested by our growing experience with which to meet them, but only the platitudes of our crudest youth.

The philosophers and statesmen of the eighteenth century believed that the universal franchise would cure all ills; that liberty and equality rested only upon constitutional rights and privileges; that to obtain these two and to throw off all governmental oppression constituted the full duty of the progressive patriot. We still keep to this formalization because the philosophers of this generation give us nothing newer. We ignore the fact that world-wide problems can no longer be

solved by a political constitution assuring us against opposition, but that we must frankly face the proposition that the whole situation is more industrial than political. Did we apprehend this, we might then realize that the officers of the Government who are dealing with naturalization papers and testing the knowledge of the immigrants concerning the Constitution of the United States, are only playing with counters representing the beliefs of a century ago, while the real issues are being settled by the great industrial and commercial interests which are at once the products and the masters of our contemporary life. As children who are allowed to amuse themselves with poker chips pay no attention to the real game which their elders play with the genuine cards in their hands, so we shut our eyes to the exploitation and industrial debasement of the immigrant, and say, with placid contentment, that he has been given the rights of an American citizen, and that, therefore, all our obligations have been fulfilled. It is as if we should undertake to cure the contemporary political corruption founded upon a disregard of the Inter-State Commerce Acts, by requiring the recreant citizens to repeat the Constitution of the United States.

As yet no vigorous effort is made to discover how far our present system of naturalization, largely resting upon laws enacted in 1802, is inadequate, although it may have met the requirements of "the fathers." These processes were devised to test new citizens who had immigrated to the United States from political rather than from economic pressure, although these two have always been in a certain sense coextensive. Yet the early Irish came to America to seek an opportunity for self-government, denied them at home; the Germans and Italians started to come in largest numbers after the absorption of their smaller States into the larger nations; and the immigrants from Russia are the conquered Poles, Lithuanians, Finns, and Jews. On some such obscure notion the processes of naturalization were worked out, and, with a certain degree of logic, the first immigrants were