

Constitution OF THE UNITED STATES

FOUNDING OF THE BOURGEOIS REPUBLIC

By ARNOLD PETERSEN

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FOREWORD

These essays present a brief sketch of the origin of the Constitution of the United States, the circumstances attending its formation, and the changes which have taken place in the United States since the Constitutional Convention of 1789, rendering inadequate and unsuitable what was once a logical compact for this republic.

The society of the founding fathers was predominantly an agricultural society with land tenure either the prevailing condition, or with land, and independent individual possession of land, readily within the grasp of the average citizen. The society of today is predominantly *industrial*, with production essentially social in character, though ownership has remained individual and restricted to a small minority, individual ownership of the means of wealth-production being now utterly beyond the reach of the actual operators of the industries, that is, of the individual wealth-producers, the wage-working class of America.

The tools of production have undergone vast and profound changes during the more than a century and a half since the founding of the United States of America. Whereas in 1789 each individual producer owned and operated his own tools, today the “tool” has become the mammoth industry, capable of being operated only through the cooperation of thousands of workers whose only stake in industry is at best a wage barely sufficient to supply the individual with the minimum in food, shelter and clothing, with frequent, and often long, periods of unemployment. In other words, while at the inception of this republic individual ownership corresponded with individual production, today ownership is in fact denied to the mass of the citizens, who must toil at a slave’s pittance for the benefit of the relatively few owners of the socially operated industries, reducing the vast majority to a condition of virtual slavery.

Herbert Spencer defined slavery in these terms:

“What is essential to the idea of a slave? We primarily think of him as one owned by another. To be more than nominal, however, the ownership must be shown by control of the slave’s action—a *control which is habitually to the benefit of the controller*. That which fundamentally distinguishes the slave is that he labors under coercion to satisfy another’s desires. The relation admits of sundry gradations. Remembering that originally the slave is a prisoner whose life is at the mercy of his captor, it suffices here to note that there is a harsh form of slavery in which, treated as an animal, he has to expend his entire effort for his owner’s advantage. Under a

system less harsh, though occupied chiefly in working for his owner, he is allowed a short time in which to work for himself, and some ground on which to grow extra food. A further amelioration gives him power to sell the produce of his plot and keep the proceeds. Then we come to the still more moderated form which commonly arises where, having been a free man working on his own land, conquest turns him into what we distinguish as a serf, and he has to give to his owner each year a fixed amount of labor or produce, or both: retaining the rest himself. Finally, in some cases, as in Russia until recently, he is allowed to leave his owner's estate and work or trade for himself elsewhere, under the condition that he shall pay an annual sum. . . . *The essential question is—How much is he compelled to labor for other benefit than his own, and how much can he labor for his own benefit? The degree of his slavery varies according to the ratio between that which he is forced to yield up and that which he is allowed to retain: and it matters not whether his master is a single person or a society.* (The Coming Slavery.)

No one can deny that Spencer's definition of slavery fits the conditions of the majority of the people of the United States today. Economic dependency is the essence of slavery, whatever the form of slavery. The second President of the United States, John Adams, even more succinctly defined slavery, and in terms that fully identify the modern wage worker's condition as essentially that of slavery. John Adams said:

“When the workers are paid in return for their labor only as much money as will buy the necessaries of life, *their condition is identical with that of the slave.*”

President Franklin D. Roosevelt has repeatedly announced as his ideal for the workers that they must receive a “living wage,” that is, the thing described by John Adams as being a slave's pittance. The changes that have taken place between John Adams and Franklin D. Roosevelt could not be more forcefully or graphically demonstrated than in the contrasting statements of these two American Presidents.

The relation between ownership and production having been thrown completely out of balance, the task before our generation must be to restore that balance by vesting ownership of the socially operated land and machinery in society, viz., *social production, social ownership*. The POLITICAL UNION of our fathers, having outgrown its usefulness, must be replaced with the INDUSTRIAL UNION of the useful, productive workers of today. This requires a new constitution, entirely different in character and form from the present constitution, though it will contain the enduring principles of democracy which characterized the Constitution of 1789. The *political democracy* of the 18th and early 19th centuries will be superseded by the *industrial democracy* of the 20th century. Industrial democracy will, as stated, retain all that was vital and enduring in the political democracy of our fathers, and will place economic power, and the direction of society, in the hands of the masses where alone it is safe and democratic for power to reside.

While the capitalist class, and the capitalist spokesmen and politicians, render lip-service to the Constitution, professing reverence and admiration for this great document, in reality they hold it in contempt, except those parts which directly secure their property rights. In their secret hearts they fear and distrust the Constitution. This was perhaps never more forcefully demonstrated than when the proposal for so-called national service was introduced some time ago. “National Service” is, of course, nothing but a euphemism for labor conscription, compulsory labor, or *involuntary servitude*, to use the constitutional phrase.

The thirteenth amendment to the Constitution expressly and unqualifiedly forbids compulsory labor. Supreme Court decisions have repeatedly confirmed the provisions of the thirteenth amendment, whenever attempts were made to circumvent them through ambiguously phrased legalistic proposals. Capitalist editorial writers and columnists (notably the shallow and pontifical Walter Lippmann) have argued for involuntary servitude through analogies, as, for instance, that if military conscription is not unconstitutional (which in any case remains a moot constitutional question), neither can industrial conscription be. The simple and incontestable fact remains that military conscription (a comparatively modern invention) is not forbidden by the Constitution in express terms, whereas involuntary servitude, or industrial conscription, is unqualifiedly forbidden, and in unmistakably clear and express terms. Not one of the proponents of labor conscription has dared to come to grips with this issue—they have artfully dodged it whenever they were challenged. And while columns upon columns in the press have been granted to the proponents of involuntary servitude to argue the alleged (and constitutionally irrelevant) *necessity* of compulsory labor, space has been denied to those who have sought to demonstrate in reasoning details that labor conscription is in fact in direct violation of the thirteenth amendment and a menace to all constitutional rights and guarantees,

While the attempt to declare the thirteenth amendment a dead letter law is by no means the only effort made by capitalist politicians to set aside the basic law of the land, or important provisions of it, it is by far the most important and sinister, being also the most recent. The attempt illustrates the oft-confirmed sociological law that once a class is in power, and that power or vital material interests of the ruling class are threatened or obstructed, nothing will stop that class from trampling underfoot even its own basic and most “sacred” laws and provisions. It recalls to mind James Russell Lowell’s scathing indictment of those who argued the constitutionality of human slavery, and the evil practices attending it:

“Here we stan on the Constitution, by thunder!
It’s a fact o’ wich ther’s bushils o’ proofs;
Fer how could we trample on’t so, I wonder,

Eft worn't thet it's ollers under our hoofs?"

*

Since the new industrial constitution must reflect the new industrial democratic republic yet to be launched, it cannot be presented in detail here. However, unlike the present Constitution, which in the main concerns itself with property relations, and rights and duties flowing from these relations, the new constitution will deal with the collectively owned and democratically managed land and industries, with proper distribution of the fruits of industry on the basis of work performed in conformity with the principle: The full social product of labor to all who labor socially and usefully.

In addition, that new constitution will guarantee to the social producers an equal voice and vote in the management and operation of industry, with renewed guarantees of freedom of conscience, freedom of speech, and all other freedoms now reserved to each individual, freedoms that are not incompatible with the interests of the collectivity as a whole and the safeguarding of the paramount interests of a civilized society of enlightened free men and women, bound together in fraternal relationship, enduring peace and uninterrupted affluence.

—*Arnold Petersen.*

December 3, 1944.

INTRODUCTION

“He [a Berlin journalist] says the evil consequences of modern capitalism in Russia will be as easily overcome as they are in the United States. There he quite forgets, that the United States are modern, bourgeois from the very origin; that they were founded by *petits* bourgeois and peasants who ran away from European feudalism to establish a purely bourgeois society. . . . Up to 1848 one could only speak of the permanent native [United States] working class as an exception: the small beginnings of it in the cities in the East always had still the hope of becoming farmers or bourgeoisie.”

—*FREDERICK ENGELS.*

The Constitution of the United States has been praised and condemned in extravagant terms. On the one hand, it has been hailed as the greatest document ever conceived and penned by the brain and hand of man; on the other, it has been denounced as a compact of evil, as a conspiracy by the rich against the poor—the latter particularly by anarchists of various stripes, including the Anarcho-Communist variety (the members and supporters of the “Communist party”), though latterly these bewildered creatures (who pass through life in a state of permanent mental infantilism) have become passionate Constitution-worshipers, and in such contrast to their erstwhile contempt for, and vilification of, the Constitution as to furnish additional proof of the two main indictments against anarchists: that they are the reverse of that medal of which the bourgeoisie constitutes the obverse; and that their cloak of “no-government” hides a body dedicated to autocracy and tyranny.

Of course, the Constitution of the United States was neither the inspired word of the deity, nor the foul plot of the devil which its admirers and traducers have successively proclaimed it to be. Putting the matter in the simplest terms, the Constitution may be said to be merely the rules and by-laws of the association which came into being full-fledged with the ousting of the British Crown; and obviously these by-laws—like the by-laws of any group or association—reflected the essential needs of the body it was intended to rule and hold together. It was a youthful capitalist society which emerged in America at the conclusion of the Revolutionary War—a crude and primitive capitalism, to be sure, but full-fledged, and capable of developing to full stature and maturity, as it did so develop. Nevertheless, despite the particular purpose the Constitution was to serve, it fully deserves the recognition bestowed upon it as being the greatest and most enlightened document of its kind at

the time of its adoption—and this notwithstanding even the many defects which its own authors were quick to point out. And it was possible for it to become such a unique document, not primarily because its creators were wise and good men (though most of them *were* wise and good—“good,” as men go), but because it originated under conditions which rendered well-nigh ideal the beginning of the new social system.

In Europe, capitalism had to hack its way, so to speak, through the heavy crust of feudalism, with all the travail and confusion attending the gradual merging of two opposite sets of social principles, with the eventual elimination of most of the old order. For in Europe, when capitalism emerged finally, it was not only tainted with the feudalic spirit, but it carried with it large chunks of feudal vestiges, some of which to this very day still survive, and which in some countries (notably Italy and Germany) have even served as “springboards” for the new feudalism which has (temporarily, at least) arisen there. A still more striking example of what results from the fusing of a thoroughly encrusted feudalism with a fairly well developed capitalism may be seen in the case of Japan, where a social system emerged and developed into what may be described as an almost perfect example of industrial feudalism.

But here in America we started virtually in a capitalist Eden—an Eden, however, which was not without its serpent, viz., private property, and particularly *slave* property. But private property was the logical institution for the time and situation, and *slave* property was eventually abolished as the anomaly it was in a growing capitalist society, where wage labor, or *wage slavery*, forms its logical and inseparable counterpart. In such an ideal setting, and with such enormous natural resources, capitalism developed ideally, bringing to full fruition all that was inherent in, and normal to, the system. No wonder, then, that the American Constitution, devoid of the trammels that accompanied constitutions and governments elsewhere, became the object of admiration and envy on the part of the bourgeoisie everywhere. And deservedly so, for here was, indeed, the almost perfect expression of capitalism in its almost pure state; and this statement is not made in any derogatory sense, for it must not be forgotten that capitalism represented a great step forward in social and human progress. Hence, capitalism in America at the time of the revolution, and for many years thereafter, represented revolution and progress at its noblest and best (and, as contrasted with feudalism, capitalism was deserving of the description), and men’s hearts and minds are ever stirred by new and noble concepts.

Finding themselves thus confronted with problems for which there were no precedents, in a country whose history pages hitherto had been all but blank (recalling Carlyle’s saying, “Happy the people whose annals are blank”), it was natural that the Fathers should turn to the republics of the past for such guidance, if not example, as they might afford. The writings of Madison abound in citations and references relating to the Greek republics, and other governments of antiquity. To a

lesser extent this is also true of the writings of Hamilton, who, with Jay and Madison, was the author of *The Federalist*, wherein the new Constitution was examined and defended, with incidental criticisms of certain parts of it. Writing (jointly with Hamilton) about “the Grecian republics, associated under the Amphictyonic Council,” Madison observes: “From the best accounts transmitted of this celebrated institution, it bore a very instructive analogy to the present confederation of the American States.” And at great length both Hamilton and Madison present analogies to give point to their defense of the Constitution, the adoption of which they so strenuously urged upon the people, frequently quoting also from Plutarch, Aristotle, Plato and other ancient writers. (Hamilton also quoted extensively from Montesquieu, the great 18th century French philosopher of the bourgeoisie, of whom Hamilton apparently was a great admirer.) Apropos of the Senate, the creation of which was urged as a safeguard of property rights, the following passage from Plutarch must have been powerfully suggestive, particularly to Hamilton. Writing of Lycurgus, the Spartan lawgiver, Plutarch said:

“Among the many changes and alterations which Lycurgus made, the first and of greatest importance was the establishment of the senate, which . . . gave steadiness and safety to the Commonwealth. For the state, which before had no firm basis to stand upon, but leaned one while towards an absolute monarchy, when the kings had the upper hand, and another while towards a pure democracy, when the people had the better, found in this establishment of the senate a central weight, like ballast in a ship, which always kept things in a just equilibrium. . . .”

And upon Madison, who not only possessed hindsight but prophetic insight as well, and who realized that the time would come when America would be like Europe with its inequalities and teeming hordes of propertiless persons, this further reference to Sparta and Lycurgus must have made a profound impression:

“After the creation of thirty senators, his [Lycurgus’s] next task, and, indeed, the most hazardous he ever undertook, was the making a new division of their lands. *For there was an extreme inequality amongst them, and their state was overloaded with a multitude of indigent and necessitous persons, while its whole wealth had centered upon a very few.*”

(Incidentally, this sounds very much like a description of Franklin Delano Roosevelt’s America, and possibly Mr. Roosevelt has taken his cue from Lycurgus the lawgiver, who is further reported as having requested the “plutocrats” of Sparta to “renounce their properties, and consent to a new division of the land. . . .” !)

What the Fathers meant to create, what they hoped to form, was a constitution and a government which forever (or for a time so far into the future as to seem practically “forever”) would guaranty equality and well-being to all. They could not have known that private property (which is the cornerstone of the Constitution) would

become an institution for the enslavement of the overwhelming mass of the population, since private property to them obviously meant the only and natural means of freedom for all. Yet, this is what has actually happened. The Fathers sincerely thought they organized a free commonwealth. What they, in fact, did was to lay the foundation of the capitalist State, resting, as it does now, on the exploitation of countless wage slaves. They honestly thought they organized a government of freemen, to endure for ages. They did not realize that they fashioned (as Carlyle put it) what was to become “emphatically a machine: to the discontented a ‘taxing machine,’¹ to the contented a ‘*machine for securing of property.*’” They did not visualize, and could not have visualized, that they were building a political structure which later was to fit Emerson’s terse verdict: “Every state is corrupt.” They *did* know that unless safeguards were provided, governmental agencies would fall into the hands of corrupt individuals, but they did not expect that the then people’s government, which they established as an institution, would become what Emerson also described as “the cheat and bully and malefactor we meet everywhere. . . .” For with all their knowledge and wisdom, they shared the view of the bourgeoisie everywhere that the downfall of feudalism signaled the arrival of permanent human freedom and well-being. They did not understand, and could not have understood, that private property was something comparatively recent in human affairs—having only existed during what Lewis H. Morgan calls “the comparatively short period of civilization. . . .” They did not, and could not know, that private property contained within itself the germ of its own destruction, and of the social system resting upon it. They did not grasp the tremendously significant fact that private property as an institution was the child of scarcity and an increasing population, and that it constituted the painful, but necessary means of solving the problem resulting from ancient communism’s equality on the basis of universal poverty and want, viz., universal stagnation, materially and culturally. They probably had read Aristotle’s observation—

“For if every instrument could accomplish its own work, obeying or anticipating the will of others, like the statues of Dædalus, or the tripods of Hephæstus, which, says the poet

¹ “Taxing,” that is, in the sense that the Political State is the executive committee of the capitalist class, aiding that class in extracting from the working class from 80 per cent to 90 per cent of its total product. With taxation in its current sense the workers are not concerned, seeing that taxes are derived from property of which the workers, *as a class*, own nothing. The workers do not pay the taxes, whether one speaks of so-called “direct” taxation, or the humbug “indirect” taxation, which all politicians and bourgeois-minded persons (from the plutocrats to the Anarcho-Communist reformers) cackle so much about.

‘of their own accord entered
the assembly of the Gods,’

if, in like manner, the shuttle would weave and the plectrum touch the lyre without a hand to guide them, chief workmen would not want servants, nor masters slaves—”²

But no more than Aristotle could they conceive of a time when production might be carried on with semi-automatic machinery as is now being done, which fact is responsible for private property having become a monstrosity, and a curse to society at large, though primarily to the propertiless working class. For whatever the Fathers might think of Europe and its miseries, where it might have seemed to them to be necessary for ages to maintain a situation where—

“those who think must govern those that toil,”

they felt sure that, as said before, the government they were forming would insure equality, justice and plenty for all.

*

Thus, one hundred and fifty years after the adoption of the Constitution, the social system which it was intended to serve—and did serve effectively and beneficially for so many years—presents to our generation the identical problem (though magnified a thousandfold, and many times more complex) which the Fathers were called upon to solve, and which they did so magnificently solve for *their* generation. The problem of abolishing private property in our day involves the problem of abolishing slavery (wage slavery), exactly as the advent of property brought slavery into existence. “With property,” says Lewis H. Morgan, “also came in gradually the principle of aristocracy, striving for the creation of privileged classes. The element of property [continues Morgan] which has controlled society to a great extent during the comparatively short period of civilization, has given mankind despotism, imperialism, monarchy, privileged classes, and finally representative democracy [attaining full efflorescence in the democracy founded in 1787—A.P.]. It has also made the career of the civilized nations essentially a property-making career. But when the intelligence of mankind [i.e., of the present-day working class.—A.P.] rises to the height of the great question of the abstract rights of property, including the relations of property to the state, as well as the rights of persons to property, a modification of the present order of things may be expected.”

Thus, sixty years ago, spoke the great American scholar, Lewis Henry Morgan, writing in the spirit of the “founding Fathers” of 1787. It remains for the workers to

² [Aristotle, *Politics*.]

organize for industrial self-government, discard the territorial basis of governmental representation which came into being with the advent of private property and slavery, and thereby not merely to achieve their own emancipation (making full use of the great document executed in 1787 by our revolutionary forefathers), but also to save civilization and society from a social cataclysm which threatens to engulf all mankind. Even as America 150 years ago provided a setting which made of the newly established social system a veritable Eden of Capitalism, so America today provides the setting which makes it possible for the workers to establish humanity's "first heaven on earth," without much travail and disorder. When the workers organize in revolutionary Industrial Unions, these to constitute the component integral parts of the new "federal" industrial government, we shall have put an end to the horrors engendered of private property systems and slavery. The free Industrial Republic of Labor, with peace and abundance for all, will constitute this "heaven on earth," the "Good Society," and not the reversal to bourgeois liberalism of twenty-five or fifty years ago which certain plutogogues are prating about, and urging upon us in the name of the "Good Society." Our revolutionary forefathers, as an absolute condition for establishing *their* "Good Society," were compelled first to destroy the rule and power of the British Crown. The absolute condition for instituting the industrially democratic "Good Society," of the future is that *Capitalism Must Be Destroyed!* In other words, autocracy in industry, or despotic collectivism, must yield to democratic ownership and management of industry, or democratic collectivism—in short, SOCIALISM.

THE CONSTITUTIONAL CONVENTION OF 1787

“The American Revolution, the name that our bourgeois revolution goes by, was the most liberal until then experienced. Dry-as-dust dogmatists, whose Socialism goes by rote, deprive the gorgeous Morgan-Marxian theory regarding the materialist conception of history of much of its splendor, incisiveness and many-sided luminousness by denying the Revolutionary Fathers of America all sincerity in their fervid proclamations of freedom. Not only is the materialist conception of history nowise done violence to—on the contrary, it receives marked demonstration from the sincere, however fatuous, belief of the Revolutionary Fathers that they had established freedom on permanent foundations. . . .

“Of course the belief was fatuous. The economic social laws that underlie the private ownership of the necessaries for production—land and tools—and which started into activity since that great primal revolution which overthrew the [ancient] communal system, could not choose but be latent in the young bourgeois American Republic. Nor were these laws slow to assert themselves, and, in so asserting themselves, to shake and then shatter the card-house of the Revolution’s illusions concerning freedom.”—*Daniel De Leon*.

I.

The first “constitution” of the United States was adopted at Philadelphia on the ninth of July, 1778, but it was not ratified until March, 1781. It was called by the grandiose title “Articles of Confederation and Perpetual Union between the [thirteen original] States.” And whereas the preamble of the present Constitution commences with the democratic, “We the People of the United States . . . do ordain and establish this constitution for the United States of America,” thereby expressly recognizing the people as the source of power, the “Articles of Confederation” opens in the manner of a lawyer’s brief—“TO ALL TO WHOM THESE PRESENTS SHALL COME,” and drily certifies to the fact that certain delegates had agreed “to certain articles of confederation and perpetual union. . . .” It is of passing interest to note that in the preamble to the “Articles” Massachusetts is referred to as “Massachusetts Bay,” and Rhode Island as “Rhode Island, and Providence Plantations.”

The “Articles of Confederation” reflected the unsettled state of the country, and the uncertainty prevailing among the states generally with respect to investing a central authority with power to dictate to them in certain important respects. They were soon found inadequate for the purpose of a “perfect” union, not to speak of a “perpetual union”! As de Tocqueville, in his study of the American Republic, that oft-

quoted classic, *Democracy in America*, said:

“As long as the war with the mother country lasted, the principle of union was kept alive by necessity; and although the laws which constituted it were defective, the common tie subsisted in spite of their imperfections. But no sooner was peace concluded, than the faults of this legislation [the “Articles”] became manifest, and the State seemed to be suddenly dissolved. Each Colony became an independent republic, and assumed an absolute sovereignty. The Federal government, condemned to impotence by its Constitution, and no longer sustained by the presence of a common danger, witnessed the outrages offered to its flag by the great nations of Europe, whilst it was scarcely able to maintain its ground against the Indian tribes, and to pay the interest of the debt which had been contracted during the war of independence. It was already on the verge of destruction, when it officially proclaimed its inability to conduct the government, and appealed to the constituent authority. (Congress made this declaration on the 21st of February, 1787.)”

Writing in July, 1786, to Col. Wm. Grayson, one of his aides, George Washington said: “Is it not among the most unaccountable things in nature that the representation of a great country should generally be so thin as not to be able to execute the functions of government?”

And somewhat later he wrote: “Without them [i.e., adequate powers] we stand in a ridiculous point of view in the eyes of the nations of the world . . . who must see and feel that the Union, or the States individually, are sovereigns, as best suits their purposes; in a word, that we are one nation today, and thirteen tomorrow.”

It is a fact that the great powers of Europe held the United States in thorough contempt. The manner in which the capitalist powers have treated Soviet Russia constitutes the nearest parallel to the treatment accorded the United States by the world powers following the close of the Revolutionary War.

One of the most ominous signs of the prevailing anarchy, and contempt for the federal authority, was the revolt headed by Daniel Shays, of Massachusetts, in the year 1786, which is now known as “Shays’s Rebellion.” And the weakness of even the state governments (Shays’s rebellion was quelled by the State of Massachusetts, not the federal authority) is indicated by the fact that although fourteen of the “insurgents” were convicted of treason, and sentenced to death, while a large number were convicted of sedition followed by heavy penalties, the sentences were softened or entirely remitted. As an early historian observes:

“To such extent did they share the sympathies of the people, as to render their executions unsafe. Moderate penalties only were imposed.”

Obviously those who had fought to resist, and eventually throw off, the British yoke of tyranny, were not content to see their newly won independence dissipated and corrupted into social anarchy. The substantial men of property, who had risked lives and fortunes, desired a stable and centralized form of government. And logical for the times was their desire. The leading men of the republic (among whom Madison was outstanding) got together to discuss ways and means of remedying the situation, and to bring about order and stability—the *conditio sine qua non* for a continued prosperous development of the country. Madison, in a letter written to a Mr. Andrew Stevenson, in 1826, briefly summarizes the successive steps and acts which led to the calling of the Constitutional Convention:

“I am not sure that I understand your allusions to the origin of the convention of 1787. If I do, you have overlooked steps antecedent to the interposition of the old Congress. That convention grew out of the convention at Annapolis, in August, 1786, recommended by Virginia in the preceding winter. It had for its objects certain provisions only, relating to commerce and revenue. The Deputies who met, inferring from an interchange of information as to the state of the public mind that it had made a great advance, subsequent even to the act of Virginia, towards maturity for a thorough reform of the federal system, took the decisive step of recommending a Convention, with adequate powers for the purpose. The Legislature of Virginia, being the first assembled, set the example of compliance, and endeavored to strengthen it by putting General Washington at the head of her Deputation.”

On February 21, 1787, Congress approved the calling of the convention, and May 14, 1787, was fixed as the opening date. It was not until the 25th of May, however, that fifty-five delegates from all but one state (Rhode Island being the exception)³

³ North Carolina and Rhode Island held out against ratification to the last, the former yielding consent in November, 1789, the latter in May, 1790. Rhode Island, in fact, did not at first even call a ratifying convention. The dominant powers of Rhode Island feared the interference of a central authority with their local privileges, “and especially with their favorite device of issuing paper money.” When it seemed as if these two states would permanently withhold ratification, “Congress [according to a commentator on *The Federalist*, writing in Washington in the year 1818] proceeded solemnly to enact that the manufactures of those states should be considered as foreign, and that the acts laying a duty on goods imported and on tonnage should extend to them, they [these two states] hastened, with a discernment quickened by a sense of interest . . . to unite themselves to the Confederation”!

It is also interesting to note that such sturdy patriots as Patrick Henry, and James Monroe, fifth President, vigorously opposed, and in the Virginia convention voted against, ratification. In Massachusetts ratification was opposed by John Hancock and Samuel Adams; in New York by a majority of the convention; but eventually the three states fell in line. In each of these States, however, the vote was close, testifying to the popular disappointment with the new Constitution. In Virginia the vote was 88 in favor, 80 against; in New York it was 31 in favor, 29 against; and in Massachusetts the vote stood 187 in favor, with 168 against.

convened at Independence Hall, Philadelphia. They included twenty-one who had fought in the Revolutionary War; eight who had signed the Declaration of Independence; a number who had served in the Congress and as governors; and many among them held degrees from the foremost British and American universities. De Tocqueville admiringly said:

“The assembly which accepted the task of composing the second constitution was small, but George Washington was its President, and it contained the finest minds and the noblest characters which had ever appeared in the New World.”

Few of those, however, who had held “extreme” views at the beginning of the Revolution were present. Particularly conspicuous by their absence were Patrick Henry, John Hancock, Samuel Adams, and Thomas Jefferson, the latter, however, having been in France (as Minister to France) since 1785, from which country he did not return until 1789. One may, perhaps, find in the absence of these revolutionary fighters confirmation of the maxim that the propagandists and firebrands of the actual revolutionary struggles by and through their very ardor, their revolutionary passion, their clinging to principles, and their scorning of half-measures and compromises, disqualify themselves for the more tedious, prosaic and unpopular task of constructing a new government—a task which often calls for trading with the opposition, compromising of principles, and adjusting the ideal of the revolution to the material possibilities at hand. That, at any rate, is true of bourgeois revolutions, and of revolutions which (like the Russian Bolshevik Revolution) require for complete success universal acceptance of their fundamental program.

III.

However, regardless of the part previously played by these eminent men of the American Republic, here they sat, conscious of the grave responsibility resting upon them. The venerable Franklin, in his eighty second year, represented almost the very beginning of America’s colonial growth, having been born during the reign of Queen Anne, while Alexander Hamilton, only thirty years old in 1787, represented the America that was yet to be. Thus it might be said that this assembly embraced the past, the present and the future of the United States of America. To assert that these

By April, 1789, however, the government functioned entirely under the new Constitution. The same year which witnessed the fall of the Bastille also recorded the erection of the structure which was to serve as the bulwark of nascent capitalism in America. De Tocqueville, with Gallic incisiveness, and manifesting that passion for dramatic values characteristic of the French, concludes his summary of the framing of the Constitution and the new government with this observation: “The new Federal Government commenced its functions in 1789, after an interregnum of two years. THE REVOLUTION OF AMERICA TERMINATED PRECISELY WHEN THAT OF FRANCE BEGAN”!

fifty-five men were wholly disinterested would be to assert the absurd and the utterly impossible. To assert that they were scoundrels solely intent on amassing wealth, and exploiting their fellow-men, would be to slander them, and with them, the spirit of progress, and to make of the materialist conception of history a travesty, and to distort the voice of liberty into the senseless gibberish of idiots. Intelligent and thoughtful men now know and acknowledge that the “fathers” of the American Republic were neither fiends plotting the enslavement of the masses, nor altruistic supermen concerned only with abstract principles of right and justice. Those seeking confirmation on this score can do no better than to consult the so-called Madison papers,⁴ which, while unofficial minutes of the Constitutional Convention held from May 25 to September 17, 1787, nevertheless had the tacit approval of the convention. Madison recorded the speeches and acts of the convention with painstaking care and accuracy. Here, then, we have a faithful portrayal of the great historical drama of which the culminating act was the final consolidation of the United States of America.

No one can read the speeches of the delegates to the convention without being impressed with these two major facts: (1)—That here was a body of cultured and informed men of extraordinary intelligence, struggling earnestly and sincerely to form a compact that would secure to all the essential rights and opportunities that the age could provide; and, (2)—that material and economic interests constituted the dominant note and the driving force in that convention. There is no contradiction involved here. Each individual or group took it for granted that to further a particular material interest, the interests of *all were advanced*. It was assumed (and the assumption was justified at the time) that enough, if not plenty, was within reach of all, barring the lazy and physically helpless. And though it was recognized that there were rich and poor, the poor were not so in the sense of the word today. Barring exceptional cases, a man might have been considered poor merely because he could only enjoy a comfortable living, or perhaps because he had no slaves, or but a few, as contrasted with the man who owned vast estates with hundreds of slaves. But poverty, in the sense of large numbers being in dire want, and suffering oppression at the hands of the rich, was practically unknown.

Land was plentiful. Property was easily acquired. Hence property was spoken of as something normal to the average person. But the “fathers” had the spectacle of Europe before them. “We see in the populous countries in Europe now, what we shall be hereafter,” said Madison. *There* was poverty aplenty. And *there* property was a far more exclusive possession than in America. Being men of vision, and having a natural regard for the thing which to them and their age spelled the beginning and end of a

⁴ *The Journal of the Debates in the Convention which framed the Constitution of the United States, May-September, 1787, as recorded by James Madison.*

free society—the right and the untrammelled opportunity to accumulate property—they were much concerned about providing safeguards for that property for the future. Two questions were among the chief subjects of the debates in the convention: Property and slavery—and slavery, after all, was nothing more than a differentiated property institution, though some of the delegates balked at giving formal recognition to the slave as his master’s property.

In the Madison papers, for example, a note is found to the effect that “Mr. Madison thought it wrong to admit in the Constitution the idea that there could be property in men. The reason of duties did not hold, as slaves are not like merchandise, consumed, etc.” It could scarcely be expected of Madison to have reasoned that after all slaves were like merchandise and that they were bought and sold in the slave market, and that they were *consumed* by their masters exactly in the same sense that horses and cattle were “consumed.”

The institution of slavery did, indeed, present a serious problem to the delegates. Most of them spoke in unqualified terms of condemnation and denunciation of the institution. It was recognized, however, that no union of the states could be formed if the powerful South were left out, and that in order to effect a union, slavery had to be swallowed. In short, the endeavor was to make the best out of a bad situation and to accept the fact of slavery without endorsing it as an institution.

Gouverneur Morris of Pennsylvania⁵ spoke in unmeasured terms when he said (in Madison’s notes): “He [Morris] never would concur in upholding domestic slavery. It was a nefarious institution. It was the curse of heaven on the States where it prevailed. Compare the free regions of the middle States, where a rich and noble cultivation marks the prosperity and happiness of the people, with the misery and poverty which overspread the barren wastes of Virginia, Maryland, and the other States having slaves.”

The particular occasion for Morris’s remarks was the question of representation. The South insisted on including the slaves as part of the population, which basis, of course, would insure to them a larger representation in the national government. Said Morris: “Upon what principle is it that the slaves shall be computed in the

⁵ Gouverneur Morris was as ardent an advocate of property rights as any of the delegates, but having no economic use for slaves, it was easy for him to denounce slavery as a nefarious institution. Of him James Madison said (in a letter dated April 8, 1831): “Whether he [Morris] accorded precisely ‘with the political doctrines of Hamilton’ I cannot say. He certainly did not ‘incline to the Democratic side,’ and was very frank in avowing his opinions when most at variance with those prevailing in the convention. He did not propose any outline of a constitution, as was done by Hamilton; but he contended for certain articles (a Senate for life, particularly), *which he held essential to the stability and energy of a Government capable of protecting the rights of property* AGAINST THE SPIRIT OF DEMOCRACY. *He wished to make the weight of wealth to balance that of numbers, which he pronounced to be the only effectual security to each against the encroachments of the other.*”

representation? Are they men? Then make them citizens and let them vote. Are they property? Why, then, is no other property included?" General Pinckney, of South Carolina, on the other hand, insisted "that the rule of wealth should be ascertained . . . and that property in slaves should not be exposed to danger under a government instituted for the protection of property." And arguing against computing representation on a basis which included slaves, Mr. Patterson of New Jersey said: "He [Patterson] could regard Negro slaves in no light but as property. They are no free agents, have no personal liberty, no faculty of acquiring property, but on the contrary are themselves property and like other property entirely at the will of the master. Has a man in Virginia a number of votes [in the state legislature] in proportion to the number of his slaves? And if Negroes are not represented in the States to which they belong, why should they be represented in the general government? . . . He was also against such an indirect encouragement of the slave trade; observing that Congress in their act relating to the change of the 8th article of confederation had been ashamed to use the term 'slaves' and had substituted a description." Notwithstanding logic and denunciation of slavery, the implacable South Carolinians returned to the charge: "Mr. [Pierce] Butler and General Pinckney insisted that blacks be included in the rule of representation *equally* with the whites; and for that purpose moved that the words 'three-fifths' [three freemen to equal five slaves] be struck out."

Here, indeed, was a dilemma either horn of which the delegates were desperately trying to escape. Finally, it was decided that one slave should be regarded as equal to three-fifths of a white person! Colonel Mason of Virginia exclaimed: "This infernal traffic [importation of slaves] originated in the avarice of British merchants. The British government constantly checked the attempts of Virginia to put a stop to it."⁶ Mr. Pinckney, representing South Carolina, served notice on the convention that under no circumstances would South Carolina agree to any compact which included prohibition of the slave trade. "In every proposed extension of the powers of Congress [said Pinckney] that State [South Carolina] has expressly and watchfully excepted that of meddling with the importation of Negroes." And, again, Mr. Pinckney, according to Madison's notes, "reminded the convention that if the committee should fail to insert some security to the Southern States against an emancipation of the

⁶ "But the conscience of thoughtful men in the colonies was never quite easy upon this score [Negro slavery], and it was one of the accusations of Thomas Jefferson against the crown and lords of Great Britain that every attempt to ameliorate or restrain the slave trade on the part of the colonists had been checked by the great proprietary interests in the mother country. (In 1776 Lord Dartmouth wrote that the colonists could not be allowed 'to check or discourage a traffic so beneficent to the nation.')

With the moral and intellectual ferment of the revolution, the question of Negro slavery came right into the foreground of the public conscience. 'All men are by nature free and equal,' said the Virginia Bill of Rights, and outside in the sunshine, under the whip of the overseer, toiled the Negro slave."—H. G. Wells.

slaves . . . he should be bound by duty to his State to vote against their report.”

Mr. Ellsworth of Connecticut somewhat sarcastically observed (in answer to Colonel Mason’s comment on the corrupting influence of slavery on the slave owners themselves) that “as he had never owned a slave he [Ellsworth] could not judge of the effects of slavery on character. He said, however, that if it was to be considered in a moral light we ought to go farther and free those already in the country.” And he adds shrewdly: “As population increases, poor laborers will be so plenty as to render slaves useless.” Mr. Pinckney of South Carolina undoubtedly touched a sensitive nerve when, in replying to Mason of Virginia, he stated: “Virginia (she) will gain by stopping the importations [of slaves]. Her slaves will rise in value, and she has more than she wants.” James Madison correctly outlined the real division of interests in the proposed union as being between the North and the South and not, as some of the delegates thought, between the large and small states. Said he: “The institution of slavery and its consequences formed the line of discrimination.”

IV.

It was contended by many speakers that the primary function of government was to secure the right of property and the interests of the wealthy. On the other side voices were raised in protest. “Property,” said Mr. Morris, “ought to have its weight, but not all the weight.” Gerry of Massachusetts “insisted that the commercial and monied interests would be more secure in the hands of the State legislatures than of the people at large.” Gouverneur Morris further observed that “the great and wealthy . . . in the course of things will necessarily compose the legislative body. Wealth [said he] tends to corrupt the mind, to nourish the love of power and to stimulate it to oppression.”

James Madison was one of the clearest thinkers of the convention. A great scholar, he was familiar with the workings of most of the governments of antiquity. Though naturally unable to lift himself entirely out of his own times he was, nevertheless, free from most of the class prejudices which ruled the majority of the delegates. His sound republican mind, and his love and understanding of freedom, as then conceived, caused him to revolt at some of the suggestions made to fetter the popular will. In theory he was opposed to any property qualification being attached to the right of voting,⁷ and yet he appeared puzzled at the apparent contradictions that

⁷ Daniel De Leon, discussing this point, said: “The Continental Congress was engaged with the subject of the ballot. . . . Somebody wanted a property qualification. Benjamin Franklin asked: ‘Suppose a man comes and wants to enroll. You ask him, “What is your name?” “John Jones.” “Have you any property?” “Yes, I have a donkey.” “How much is your donkey worth?” “Five pounds.” “Very well, you

were implied in giving the *propertiless* the right to vote on matters involving the rights of property. He argued nevertheless that “the interests and rights of every class should be duly represented and understood in the public councils.” He divided the citizens into three principal classes, viz., “the landed, the commercial and the manufacturing,” of which, he said, the landed was by far the predominant. Extending by copious notes a speech which he made on the subject of property and its future development, he said:

“The United States have a precious advantage also in the actual distribution of property, particularly the landed property; *and in the universal hope of acquiring property. . . .* Whenever the majority shall be without landed or other equivalent property *and without the means or hope of acquiring it*, what is to secure the rights of property against the danger from an equality and universality of suffrage, vesting complete power over property in hands without a share in it: not to speak of a danger in the meantime from a dependence of an increasing number on the wealth of a few?”

Here, in a few pen-strokes, Madison furnishes the contrast between his own time and the distant future. *For today the vast majority are without property and without the means or hope of acquiring it.* And it is not to be laid against him that he was unable to solve the problem which he so clearly outlined. In summing up the question of the right of voting he said:

“Under every view of the subject, it seems indispensable that the mass of citizens should not be without a voice, in making the laws which they are to obey, and in choosing the magistrates who are to administer them, and if the only alternative be between an equal and universal right of suffrage for each branch of the government and a confinement of the *entire* right to a part of the citizens, it is better that those having the greater interest at stake, namely, that of property and persons both, should be deprived of half their share in the government than, that those having the lesser interest, that of personal rights only, should be deprived of the whole.”

Some of the delegates were undoubtedly in favor of a limited monarchy, having no faith whatever in the ability of the mass of the people to direct the affairs of the country. Alexander Hamilton frankly stated that “he acknowledged himself not to think favorably of republican government,” but added that (of course!) “he professed himself to be as zealous an advocate for liberty as any man whatever,” and added further that the inequality in property resulted from that very liberty itself ! It was no secret that Hamilton held the mass of the people in contempt, in absolute contrast to Jefferson who never failed to extol the mass of the people. On one occasion Jefferson wrote “that the good sense of the people will always be found to be the best

can vote.” Next year the same man comes around and he wants to register. You ask him, “Have you any property?” “No.” “What has become of your donkey?” “He is dead.” “Well, then you can’t vote!” ‘Now,’ says Franklin, ‘who voted last year, the man or the donkey?’”

army—they may be led astray for a moment, but will soon correct themselves.”—And elsewhere he said: “I am not among those who fear the people. *They, and not the rich, are our dependence for continued freedom.*” Hamilton, the plutocrat in the making, is reported to have snarled: “The People, your People, Sir, is a Great Beast.”

Another delegate, Mr. Dickinson of Delaware, also very distrustful of the people, urged a senate consisting “of the most distinguished characters, distinguished for their rank in life *and their weight of property, and bearing as strong a likeness to the British House of Lords as possible.*”

Mr. Gerry of Massachusetts at one stage of the proceedings cheerily observed that “according to the idea of one gentleman (Mr. Mercer) our government, it seems, is to be a government of plunder!” Looking at the matter today, and realizing what interests, in fact, have controlled the United States government during the greater part of its history, one is tempted to say, in the vernacular, “You said a mouthful, Mr. Mercer!”

V.

It was the same Mr. Gerry of Massachusetts (whose practice of shifting local political boundary lines to suit the needs of political elections gave the language the term Gerrymandering), who petulantly observed that he “never expected to hear in a republic a motion to empower the executive alone to declare war.” (This proposal was made.) Had Mr. Gerry been a student of events during the period beginning in the summer of 1916, and ending with the seventh day of April, 1917, he would have learned a great deal relating to that subject!

On the subject of war there was little difference of opinion among the delegates. Most of them abhorred the very idea of war. And none expressed it better than Madison when, in his scholarly, reasoned way, he stated:

“In time of actual war, great discretionary powers are constantly given to the executive magistrate. Constant apprehension of war has the same tendency to render the head too large for the body. A standing military force with an overgrown executive will not long be safe companions to liberty. The means of defense against foreign danger have been always the instruments of tyranny at home. Among the Romans it was a standing maxim to excite a war, whenever a revolt was apprehended. Throughout all Europe, the armies kept up under the pretext of defending have enslaved the people. It is perhaps questionable whether the best concerted system of absolute power in Europe could maintain itself, in a situation where no alarms of external danger could tame the people to the domestic yoke.”

This might have been written to describe the present situation in Europe and

Asia, particularly in Italy, Germany and Japan. No informed and thinking person can doubt that one of the powerful springs of action, propelling the gangsters in charge of the absolutist governments in those countries, constitutes precisely that fear of revolt at home. The bloody dictators of those countries, and their industrial and financial masters, are ever ringing the bells of alarm “of external danger,” in order to “tame the people to the domestic yoke.”

Elsewhere Madison remarked:

“Of all the enemies to public liberty war is, perhaps, the most to be dreaded, because it comprises and develops the germ of every other. War is the parent of armies; from these proceed debts and taxes; and armies, debts and taxes are the known instruments for bringing the many under the domination of the few. . . . No nation could preserve its freedom in the midst of continual warfare.”

The most picturesque, lovable and genial character in the convention was, without a doubt, old Benjamin Franklin, then enjoying the ripe age of 82 years. As mentioned before, he formed an extreme contrast to the very much younger Alexander Hamilton. Franklin’s is the voice of America’s pastoral past, Hamilton’s that of its capitalist-plutocratic future. In simple, straight language, the old philosopher, statesman and scientist propounded his views, and they were for the most part of the very essence of wisdom. He was no orator, and this fact in connection with physical disabilities (impaired sight, etc.) prompted him to write out most of his speeches and have them read by someone else.

In a speech opposing property qualifications for voting, he said (as recorded by Madison):

“Doctor Franklin expressed his dislike of everything that tended to debase the spirit of the common people. If honesty was often the companion of wealth, and if poverty was exposed to peculiar temptations, it was not less true that the possession of property increased the desire of more property. Some of the greatest rogues he was ever acquainted with, were the richest rogues[!].”

The eagle having been selected as representing the American spirit, Franklin expressed regret at this choice. To him the turkey was a much more likely bird! The turkey, he argued, was a typical American product; it was peaceful and domesticated, serving a highly useful purpose. The eagle, on the other hand, was a rapacious animal, a bird of prey; moreover, imperious and given to flights not in keeping with the true earthbound American nature! How characteristic was this contention! And here again we are given a symbolical picture of the America that was, and the America that was to be.

Again, the question arose as to what to do with ex-Presidents, a question that still agitates some of our “best minds.” It was thought undignified on the part of a former executive to descend to the ordinary level, the presidency having, presumably, lent a

glory not in conformity with the drear and drab everyday activities of plain mortals. Here again Franklin tears to shreds these pretensions and incipient snobbery:

“Doctor Franklin: It seems to have been imagined by some that the returning to the mass of the people was degrading to the [chief] magistrate. This he thought was contrary to republican principles. In free governments the rulers are the servants, and the people their superiors and sovereigns. For the former therefore to return among the latter was not to *degrade* but to *promote* them. And it would be imposing an unreasonable burden on them to keep them always in a state of servitude, and not allow them to become again one of the masters.”

The old boy certainly had a sense of humor!

VI.

Despite mutual distrusts born of opposing interests, despite differences among the delegates as to experience, knowledge and temper, the convention wrought remarkably well. With its obvious defects, the Constitution nevertheless offered the only practical means for holding together the thirteen States on a reasonably common basis, though many had misgivings and doubts, which was also reflected in the vigorous opposition to its ratification. Among those who looked with apprehension on the new document was Thomas Jefferson, who was particularly alarmed because of the omission of the bill of rights. (It was largely due to his criticisms that Madison took the lead in securing the adoption of the ten first amendments.) And while today the Constitution is urged upon us by the plutocracy, and its intellectual poodles, as almost too sacred to be mentioned except to the accompaniment of repeated salaamings, Jefferson had no such superstitious reverence for the Constitution. Writing in 1816 at great length to one Samuel Kercheval (author of *The History of the Valley of Virginia*, published in 1833), Jefferson said, in part:

“Some men look at constitutions with sanctimonious reverence, and deem them like the ark of the covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment. I knew that age well; I belonged to it, and labored with it. . . . Laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy, as civilized society to remain ever under the regimen of their barbarous ancestors. It is this preposterous idea which has lately deluged Europe in blood. . . . It is now forty years since the

constitution of Virginia was formed. The same tables inform us, that, within that period, two-thirds of the adults then living are now dead. Have then the remaining third, even if they had the wish, the right to hold in obedience to their will, and to laws heretofore made by them, the other two-thirds, who, with themselves, compose the present mass of adults? If they have not, who has? The dead? But the dead have no rights. They are nothing; and nothing cannot own something. Where there is no substance, there can be no accident. This corporeal globe, and everything upon it, belong to its present corporeal inhabitants, during their generation. They alone have a right to direct what is the concern of themselves alone, and to declare the law of that direction; and this declaration can only be made by their majority. . . . The voice of the whole people would be thus fairly, fully, and peaceably expressed, discussed, and decided by the common reason of the society. If this avenue be shut to the call of sufferance, it will make itself heard through that of force, and we shall go on, as other nations are doing, in the endless circle of oppression, rebellion, reformation; and oppression, rebellion, reformation, again; and so on forever.”

Specifically, Jefferson urged the following amendments (apart from insisting on the “bill of rights”):

“The sum of these amendments is, (1) General suffrage. (2) Equal representation in the legislature. (3) An executive chosen by the people. (4) Judges elective or amovable. (5) Justices, jurors, and sheriffs elective. (6) Ward divisions. And (7) Periodical amendments of the Constitution.”

If such a program were presented today to the Al. Smith “Jeffersonians,” a howl of denunciation would be set up by them and their masters and allies, the plutocracy, and their lackeys, and the proponent would be charged with undermining the Constitution, destroying the Supreme Court, and with being godless and bolshevistic to boot! Jefferson was particularly critical of the judiciary, as we have shown elsewhere. In his letter to Samuel Kercheval he said:

“In the judiciary, the judges of the highest courts are dependent on none but themselves. In England, where judges were named and removable at the will of an hereditary executive, from which branch most misrule was feared, and has flowed, it was a great point gained, by fixing them for life, to make them independent of that executive. But in a government founded on the public will, this principle operates in an opposite direction, and against that will. There, too, they were still removable on a concurrence of the executive and legislative branches. *But we have made them independent of the nation itself.*”

VII.

The Constitution obviously represented a compromise, but a compromise which in

the interest of general progress it was necessary to make at that time. Yet, like all compromises this one contained the seeds of future trouble. “Four score and seven years” later some of these seeds ripened and sprouted and though the “harvest” was successful, the cost was appalling. The slavery question, as we have seen, ran like a bloody streak through all the deliberations of the convention, and the wisest among the delegates foresaw future trouble. Had the anti-slavery advocates insisted on having it their way there would have been two rival empires on the continent, with inevitable quarrels, possible wars, introduction of European political intrigues, possibly the creation of one or two more empires in the middle and far west, etc., etc. Whether eventually these empires might have coalesced, peacefully or otherwise, we cannot tell. That question belongs in the realm of pure speculation.

Under its Constitution, adopted at a time when the country was largely agricultural, the United States ruling class has grown powerful and rich. It has done so because economic evolution so decreed, aided by the *letter* of the Constitution, BUT IN SPITE OF THE SPIRIT OF THAT CONSTITUTION. At the same time, capitalism in the United States has rounded out its cycle of development. Democracy, as conceived by the “fathers,” has vanished in every important sense, the vast majority of the people, the wage workers, being but economic serfs, bound to the “machine” privately owned by the capitalist class. The democracy they exercise is but a reflex of the real thing—but a hollow shell. The substance has fled, and the majority, the useful producers, are clinging desperately to the form. Meanwhile, society is facing chaos and destruction of all that we call civilization, for “where a social revolution is pending and, for whatever reason, is not accomplished, reaction is the alternative”; and also because as yet the new revolutionary class, the working class, has failed to organize its revolutionary power, its revolutionary machinery, as the “fathers” organized theirs. As the Revolutionary Fathers organized into political units, independent of the crown, to administer their local and general affairs, so the working class must organize into *industrial units*—into SOCIALIST INDUSTRIAL UNIONS—in order to administer their own industrial affairs, independent of the capitalist class. And to realize the potentialities of the present industrial development, the workers must do as the “fathers” did: remove the “foreign” incubus, consign to oblivion the useless, parasitical capitalist class, and establish a government in keeping with the times, even as the “fathers” of 1787 did. It is certain that it will be much less than 150 years when the delegates of the Workers’ Socialist Industrial Republic will sit in convention in order to work out the details of the new Industrial Union Government. And we may be sure that they will be able to do even better than our fathers, for there will be no compromises needed when that time comes, because there will be neither slaves nor property to consider. That convention, when it meets (in the near future, let us hope) will close the cycle of man’s private property career

and usher in the dawn of complete human emancipation. In the noble words of the great American ethnologist and scientist, Lewis H. Morgan:

“The time will come when human intelligence will rise to the mastery over property. . . . A mere property career is not the final destiny of mankind, if progress is to be the law of the future as it has been of the past. . . . The dissolution of society bids fair to become the termination of a career of which property is the end and aim; because such a career contains the elements of self-destruction.”

(The End)

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