
Foreword to Regnery Edition (1959)

This book is a conscientious attempt to repay a part of the heavy debt I owe, to my country and to the State of which I am a citizen; therefore a personal note of introduction is permissible.

Brought up in the United States as the child of English-born parents, in a border city with deeply divided opinions on the then sharply remembered Civil War, I early developed an appreciation of the great variety of means by which mankind seeks to attain the objective of stable government. This interest in political theory was steadily strengthened by academic study of governmental forms, both past and present, and enlivened by many years of political reporting, locally, from Washington, and from other national capitals.

Gradually I learned that the art of government, in all times and for all sorts of societies, may be reduced to very simple elements. It is at bottom nothing more than the reconciliation of two conditions—one essential for co-

operative achievement, the other necessary for individual fulfillment. The social condition is Order, without which men cannot work together effectively. The more personal condition is Freedom, without which some men cannot work either happily or at their best.

I further came to realize that the outstanding virtue of federalism, which is the distinctively American contribution to political art, is its facility in combining these naturally antagonistic conditions. Since the reconciliation of freedom and order is anything but easy a federal system requires both complicated governmental machinery and a high degree of interest and understanding among its citizens. These factors make federalism a distinctly experimental system, especially vulnerable in periods of upheaval.

The survival of federalism in the United States was first seriously called in question not by the Civil War, in which both sides favored the system, but during the period immediately following the fall of the Confederacy. No serious consideration of whether it is likely to continue or disappear in this country is therefore possible without examination of historical background. The approaching centennial of the outbreak of the War Between the States would therefore itself be an appropriate time to consider the probable longevity of this Republic, as conceived by its founders. And such a study is made more timely, if not imperative, by man's sudden achievement of mastery both over the atom and over the force of gravity—though not, unfortunately, over his own passion and prejudice.

These scientific achievements have overnight revolu-

tionized military problems and procedures. What is not so obvious, though certain to be profound, is their effect on the political arrangements of mankind. The purpose of this book is to consider that issue, with particular reference to the impact on individual liberty as centralized government takes more and more authority into its hands.

There is a *prima facie* case for thinking that our federal system, having at least survived the enormous changes since its establishment in 1787, will continue to serve for a future now unusually unpredictable. If so, it could be that federalism, under American leadership, will be the device whereby men everywhere will bring their political institutions in line with the urgent necessity of peaceful co-existence on a compact and shrunken planet. Indications to that effect will be examined in the following pages.

At least equally possible is the alternative that federal theory will be discarded, even without war, by the voluntary actions of Americans themselves, in favor of that highly centralized, managerial form of government which to many now seems demanded by the complexities of modern civilization. Somewhat paradoxically it is argued that dictatorship, the simplest form of government, is best suited for highly diversified societies, although it does seem psychologically desirable to call such dictatorship "democracy." Indications that the era of the American Republic is in this manner drawing to its close are also closely considered here.

This judicial method of examination obviously requires a critical, even iconoclastic, attitude towards political

dogma of every kind, our own especially. But it may be that such close analysis, though liable to arouse emotional resentments, will by its very objectivity help to disclose the advantages of the political system under which so many Americans have so long had the opportunity to live full and fruitful lives.

In preliminary form, much of what follows has been presented to political science discussion groups at Buck Hill Falls, Pa.; Princeton, N. J.; Chapel Hill, N. C., and Claremont, Calif. Portions of a few chapters have also been printed in *Modern Age*, *Nation's Business*, and *Barron's Weekly*, to the editors of which thanks are due for permission to reprint. Mr. Walter Leckrone, editor of the *Indianapolis Times*, has graciously permitted me to excerpt an article of his therefrom.

Unquestionably the content of this book has been greatly improved by the forthright criticism it has received during its slow development. Gratitude for this is owing to so many that only a blanket acknowledgment is possible. I must, however, express something of my debt to Edith Hamilton, and to Roscoe Pound. Both have read the manuscript critically and carefully, making many helpful comments. With characteristic generosity the former Dean of the Harvard Law School has labored to save me from false steps when I have ventured in the intricate field of jurisprudence. Where conclusions remain open to reasonable criticism at any point, responsibility is mine alone.

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