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PUBLIC AND PRIVATE GOVERNMENT  
CHARLES E. MERRIAM

# PUBLIC & PRIVATE GOVERNMENT

BY

CHARLES E. MERRIAM

*Published for Indiana University*

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## THE MAHLON POWELL FOUNDATION

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*Extract from the last Will and Testament  
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Having entertained a desire for many years to assist in the cause of a higher education for the young men and women of our state and nation, and to that end provide a fund to be held in trust for the same, and to select a proper school or university where the same would continue in perpetuity, I will, devise and bequeath all of the real and personal property that I possess and of which I die seized to the Trustees of Indiana University, Bloomington, Indiana, to be held by them and their successors in office forever, the *Income* only to be used and applied in the support and maintenance of a *Chair in Philosophy* in said institution, and to be dedicated and forever known as "The Mahlon Powell Professorship in Philosophy" of said University.

*In accordance with the provisions of this bequest, the Trustees of Indiana University have established a Chair in Philosophy on The Mablon Powell Foundation. Each year a Visiting Professor will be invited to fill this Chair. The eighth lecturer on The Mablon Powell Foundation is Charles E. Merriam.*

HERMAN B WELLS  
*President, Indiana University*



# CONTENTS

<i>Preface</i>	ix
<i>I. Public and Private Government</i>	1
A. Similarities of Public and Private Government	1
B. Areas of Conflict	9
C. The Meaning and Interdependence of Public and Private	11
<i>II. Sovereignty</i>	20
A. Changes in Meaning	20
B. Limitations of Sovereignty	25
C. External Sovereignty	29
D. Trends in Sovereignty	32
<i>III. New Meanings of Organization</i>	36
A. Science and Organization	38
B. Sociology and Organization	41
C. Anthropology and Organization	42
D. Economics and Organization	43
E. Political Science and Organization	44
F. Public Administration and Organization	45
G. The "Higher Organization" of Politics	50
H. Conclusions	53
<i>IV. Democracy and Organization</i>	61
A. Obstacles	62
1. The Size of the Community	62
2. The Fear of Power	63
3. The Problem of Efficiency	66
B. Elements of Progress	69
1. Administrative Management on a Democratic Basis	69
2. The Rise of Democratic Planning	69
3. The Growth of Democratic Education	70
4. The Growth of Democratic Manners and Customs	71
C. Democracy and World Problems	72
1. The Organization of a Jural Order	72
2. The Organization of the Economic Process	73
3. Democracy and the Human Personality	75



## PREFACE

*THESE lectures were given at Indiana University, March 21–25, 1943, under the auspices of the Powell Foundation, by the writer as Visiting Professor of Philosophy. I am sure the “regular philosophers” looked upon me with some suspicion, which however was completely masked by their cordiality and good will.*

*The lines of reflection here traced are parts of a larger work on Systematic Politics which the writer plans to complete at an early date. As this plan runs back to 1907, it may of course be discounted, but not too heavily, as the paper will be redeemed—unless God and nature exercise their constitutional veto upon my intentions.*

C. E. M.



# PUBLIC AND PRIVATE GOVERNMENT

## I PUBLIC AND PRIVATE GOVERNMENT

### *Similarities of Public and Private Government*

THIS study was originally planned as the joint project of a professor and a merchant prince. My collaborator was to be Dr. Beardsley Ruml, Doctor of Psychology, sometime Dean of Social Sciences in the University of Chicago, Treasurer of Macy's, Chairman of the Federal Reserve Bank Board of New York City, mentor of many public and private agencies. The merchant prince was to outline some of the problems of government in industry; the professor was to outline some of the problems of government in government. The professor and the merchant prince were to pool their common knowledge of the government of universities. This project fell through unfortunately after it appeared that the professor was to write the book and the merchant prince was to sign his name as author, dedicating the book to Merriam. Perhaps I should not use the term "fallen through," for who knows but the project may rise again as we are still collaborating.<sup>1</sup>

Obviously there is governance everywhere—government in heaven; government in hell; government and law among the outlaws; government in prison. One of the most interesting of documents is the proceedings of the constitutional convention in Sing Sing where the

1. During the week of these lectures Dr. Ruml gave the Baxter Lectures at Omaha University on the same theme, under the title, "Government, Business, and Values" and kindly acknowledges my diligent reading of the lectures after they had been given.

Sing Singers deliberated on the forms of prison government—as far as permitted, of course.<sup>2</sup> If you wish to interest yourself further theoretically in prison life, I suggest the amazing work of Cohen-Portheim, *Time Stood Still*, a discussion of four years of prison life during World War I.

When I was much younger and much more innocent than I now am, I supposed in this innocence that politics was always political. My father was a postmaster, with all that postmastership involved in the early days of “offensive partisanship.” But he was also an elder in the Presbyterian church. One day following a church meeting I noticed he looked somewhat depressed. I asked him what had happened at the meeting. He said, “Nothing,” except that he was not reelected as an elder. “I thought,” said I, “there was no politics in the church.” “So did I,” he said. “But just wait till the next election.” But if he had been widely read in church history, he might have anticipated occasional turns of politics, even in the house of God.<sup>3</sup>

I need not remind you that there is not only common law but canon law; and now and then we observe some scholar who has the J.U.D., doctor of either law. There are business law and patent law and labor law and a thousand laws of all the various groups that make up our social network. These laws may, of course, be called rules or regulations, or go unnamed. The thread of

2. Merriam, *Political Power* (1934).

3. When I was a student in the University of Berlin many years ago they showed me the university jail which was separate from the town jail. In this academic hoosegow distinguished men such as Bismarck had been confined when students. This was a revelation to me, for in my day the school authorities could throw a man out but they could not throw him in.

governance runs through all the web of social life in varying forms, in varying units. The problem of systems of rules, the problem of consent, and the problem of leadership are common to all units of association, whether labeled public or private.

If we look at some of the institutions which the professor and the merchant prince planned to consider, comparisons between the public and the private become more pointed. An anthropologist surveying the social behavior of the University of Indiana might think he had found a private government, but on reflection he would discover that he was dealing with a public government, a branch of the state of Indiana. If, however, he were to observe the behavior of the University of Chicago, he would find himself dealing with a private government. But when the Illinois Senate investigates the University, the academic institution becomes public. Yet if the observer looked for essential and characteristic differences between this public government in Indiana and this private government in Illinois, he would have difficulty in identifying and classifying them. He would find wide differences, to be sure, but would they be differences related primarily to the government of these respective institutions? In any modern university, you know, you can find traces of monarchy, aristocracy, along with dictatorship, oligarchy, and mob rule. Dare I say that even universities may have their bureaucracies, their leaders, their bosses, their budgets, their common law, their manifestations of mass psychology bursting out from time to time and difficult to control? The "community of scholars" does not like the role of sheep or of goats either, though both are found there. And

what a treatise might be written on university presidents as a House of Lords!

You may recall that, when Woodrow Wilson was asked whether he had much difficulty in accustoming himself to practical politics, he said that after his experience with the campus politics of Princeton University everything else seemed simple. I have sometimes made the same observation myself after contacts with some of my colleagues who were wiser than serpents but not essentially dove-like.

If one were to look at the busy world of the merchant prince at Macy's behavioristically, not merely as a buyer, he would see there in miniature—and not so small at that, with 20,000 employees—a world with coordination well defined, with highly developed administration, with personnel problems, fiscal problems, budgetary problems, problems of administration, of adjudication, with lines of justice and injustice, right and wrong. He might find domination by the one, the many, or the few; with owners, managers, staff, producers of commodities, customers. Possibly one might find governmental problems even in the operation of Macy's.

If we compare the operation of the Commonwealth Edison Company in Chicago with the T.V.A. down in Knoxville, each engaged in the primary task of generating electric power with a huge staff of men, we would find many similarities and of course some dissimilarities. The problems of ownership would vary, but the complexities of management and labor would present many of the same questions. Dr. Floyd Reeves, who organized the T.V.A. personnel system so admirably, might with little change in form have been asked to

organize the personnel system of the Southern Electric or the Commonwealth Edison.

In some of these organizations the plus or minus of profit may mark a differential, some would say. But in great organizations like universities, churches, and other large-scale cultural-social groups the main concern is not with profit but with results measured by something else than the cash register or the accounting system of the pecuniary order. But we might also find salaried managers of great industrial establishments who are not primarily interested in personal profits but in low-cost service to large markets of consumers. Rewards in these cases may be accumulated by managers whose income is derived from salaries and not from dividends. At the same time we might also find thrifty university presidents who are shrewdly interested in profits as was President Butler when Columbia leased the site of Rockefeller Center. You might readily find men of God interested in canny and profitable investment of their trust funds, as keenly concerned as if the funds were their own private enterprise—more so, indeed.

These varying social groups are of many types and colors. Some are territorial, some are ethnic, some are religious, some are professional, some are economic, some are cultural in the broadest sense of the term. Their advantages and limitations have constituted a major object of theoretical and practical interest in recent times. My old professor in the University of Berlin, Otto Gierke, patiently evolved through three fat volumes the history of the theory of the untranslatable *Genossenschaft*—a cross between the community and a corporation. Proudhon built a theory of anarchism on

the foundations of what was called economic federalism, a federalism so complete in its functioning as to make the political state superfluous. Duguit, brilliant professor of jurisprudence in France, developed elaborate legal and political theories about the meaning of associations. Guild socialists in recent times have developed and revived somewhat the medieval doctrine with variations of their own. Various forms of guilds may be held together in the system of G. D. H. Cole, merely by "a democratic supreme court of functional equity." He has since forgotten this phrase or must have wished to forget it. Advocates of industrial self-government have favored various forms of coöperative organization ranging from highly developed industrial autonomy to types of corporatives which become units in the corporative state, as in the recent unhappy experiment with Fascism in Italy. Somewhat similar forms are found in the Austrian-German development of the "estate-state" (the German word is *Ständestaat*) in which elements of feudalism are intermingled with totalitarianism in strange blends with curious colors and effects.

The huge structural and functional developments of our day have given rise to much analysis and speculation. I need only refer to treatises such as Burnham's *Managerial Revolution*, Brady's *Business as a System of Power*, Zweig's *The Planning of Free Societies*, along with many other discussions of the emergence of organizations within the state or across the lines of states. The modern organization of labor, the modern organization of agriculture, the modern organization of industry, the modern organization of education, law, medicine, engineering, and other professions, monopolies, trusts, trade

associations are by now as impressive structurally as the organization of the church or of military force.

Many of these associations are of course not restricted to national boundaries but reach into wider political domains, in the form of international cartels, associations, and agreements of varying types and behavior. Sometimes their bonds of cohesion are as strong as those of rival political aggregations. The budget of a powerful international association and administration may be more impressive than the budget of a small state—even though a sovereign nation. The reconciliation of the powers and purposes of these struggling organizations is one of the major problems of political association and administration in our day. Is the effective government under all these circumstances properly characterized as public or as private?

It is not my purpose on this occasion to deal with the theory and practice of groupism but only to direct attention to the vast proliferation of what might be called private government within the general framework of the political state.<sup>4</sup>

All of these organizations have their own rules and regulations. All have their own personnel. All have their own plans and programs, formal and informal. All have their own codes, common understandings, and expectancies as to courses of action. Many of them have their own bureaucracies, their own factions or parties, their own leaders and demagogues, their own politics—petty or noble. There have been “parties” of a sort in the College of Cardinals.

4. See Helen Hill, “The Group and the State,” University of Chicago. Unpublished doctoral dissertation.

I have frequently remarked to those who wondered at what they termed the mysteries and complications of politics that public government is much like private government. If you wish to understand the political, do not try too hard. Look around you at the associations of which you are a member—how many, you know better than I. Is there no nonvoting in your association? Are there no leaders whose vaulting ambition impedes the purpose of the group? Are there no inflexible interpretations of outworn rules? Is there no petty bureaucracy? Are there no efforts to seize power in what we call a dictatorial manner? Are there those seeking or holding power without responsibility? An accurate behavioristic study of your own organizations might reveal many of the same traits which seem to puzzle you so when thrown on the larger screen of the nation. The “mystery in the soul of state” is an old phrase. But there is much the same mystery, if so it may be called, in the soul of any organization you please to consider, the Chamber of Commerce, the Masonic Order, the Knights of Columbus, the Y.M.C.A., the labor union, the farm associations. The organization of direction and consent runs through them all.

Sometimes, in fact, these organizations become the directors of the political state or political unit, but without assuming political responsibility. The business organization may give orders to the rulers, and so may the labor union or a farm bloc. Commonly the directions given by special groups to the political organization are limited to special problems in which these social organizations are especially interested. But at times the control of public government by private organizations is comprehensive and complete.

All of these groups have their own sanctions or penalties. The state can throw a man into prison. But an employer can take away his job. As the state can deprive a man of his life, the church can threaten his happiness for the future and make him extremely uneasy and unhappy while he lives. The state may tax, but the monopoly may raise prices and lower standards.

### *Areas of Conflict*

BUT what happens when the commands and sanctions of the political state conflict with those of the so-called private organizations? What if the state says "Yes" and the other group says "No"? What if the other group says "Must not" and the political group says "Must"? In certain classes of cases the issue may be resolved by adjudication or by violence, but this is not the whole story. In many cases the outcome is determined by an appeal to values and interests other than the political. The church, or the industry, or the labor union may protest effectively without the sword or even in extreme cases against the sword. What I have elsewhere called "the Poverty of Power"<sup>5</sup> may in certain cases reveal in a lightning flash the weakness of those who seem to be invincible.

"It may even happen that authority is like the hard-boiled, hard-faced person who is in point of fact compensating for an inner shyness and timidity. One with insight realizes that some faces are harder than humanity can possibly be." The same may be said of governments with the same rigidity. What seems to be granite is

5. *Political Power*, chap. vi.

sometimes found to be putty. Naked hands and empty pockets may obstruct and antagonize the action of authority by means which authority cannot successfully oppose without destroying the basis of human association itself. The state cannot break up all christenings and weddings and funerals even though they may be occasions of antistate demonstrations. Even if all games are prohibited, certainly all gossip cannot be suppressed.

One of the sharpest conflicts between rival authorities was that of the medieval Church and the Empire. Here were two associations competing in a sense for priorities in allegiance and obedience. The mixed feudal and imperial system in which these rivalries were set made the antagonism more marked. Such rivalry reaches its highest point when there is a combination of religion, region, and race together with a mixture of unreconciled economic interests.

In our day the sharpest conflict has been that between industry and government. Within industry itself there has been of course the rivalry of ownership and labor—to say nothing of management. Many industries have developed governments of their own with personnel, budgetary, and planning agencies; with widely ramifying hierarchies and bureaucracies; with laws and regulations enforceable by severe penalties. In some instances, in addition, they have taken over in effect the government of political units as in some mining and manufacturing towns where the company is practically the government, and the personnel of the industry and that of the political authority are almost interchangeable. Were the policies then company policies or public policies? Were the company police public or private in their activities? In

Zion City under Dowie they could not tell me whether oysters and cigarettes were forbidden by the City Council or the Church Council—being the same persons. In some cases there has been reached what amounts to private socialism as distinguished from public socialism since property and political power were alike in the hands of the same persons. Grover Cleveland once referred to “The Communism of Pelf.”<sup>6</sup> I do not say private feudalism, since the essence of feudalism was the private-public identity. Inside the state there has been conflict traditionally between the military and civil types of governmental hierarchy and order.

*The Meaning and Interdependence of  
Public and Private*

BUT perhaps we should have inquired earlier, what is public and what is private? And how do we draw the line between them? At first blush this seems very clear but on closer examination it is not so evident. On further analysis, lines of demarcation emerge again but of a different type from those often traced.

Public and private systems of law and government, as far as modern civilization is concerned, emerged three or four hundred years ago at the time of the transition from the feudal system to the national state. Under the feudal system private law and public law were much the same. The ruler ruled the land and the people on the land because he owned the land; and he owned the land because the law gave him the land! And he gave the law. Obedience was personal; and law was private law,

6. Allan Nevins, *Cleveland*, p. 586.

although also in a sense public law. That great monument of erudition, *The Restoration of Political Science* (6 vols.), by Ludwig von Haller (1816–34), was dedicated to the thesis that there is and can be no genuine distinction between public law and private law, or between private rights and public rights, or between personal leadership and public authority. The state, he held, does not differ in kind from the family or the church or the school, since the real integrating principle is leadership supplemented by force. This was earlier known as the patrimonial theory. When once the nation-state appeared, however, this doctrine was blended into the doctrine of sovereignty and the power of the sovereign.

I looked in my book of synonyms and found that “private literally denotes the abstract quality of private.” Not very illuminating. Further that “privacy is most suitable for such as are in circumstances of humiliation, whether from their misfortune or their fault.” The *Oxford Dictionary* defines “private” as “individual, personal, not affecting the community.”<sup>7</sup> The *College Dictionary* says “not common or general, special.”<sup>8</sup>

“Public” on the other hand signifies “pertaining to or affecting the people at large,” relating to, etc., a nation, state, or community at large. The conclusion might be drawn that private is not public and that public is not private. But how does it happen, one may ask, that a private soldier is not public? Obviously this refers to the order of rank rather than to the distinction between

7. Grimm's *Deutsches Woerterbuch*, Vol. VII, traces the development of definitions of “privat” through the 16th, 17th, 18th, and 19th centuries.

8. See Webster's *Dictionary of Synonyms* (1942).

public and private. But again a "privateer" was really almost as private as piracy.

The question whether work performed for a public authority is public or private has given rise to much business for lawyers. It becomes a delicate question whether the government is acting in the capacity of the political or the commercial. This led to the long-famous controversy over the liability of the state for its own torts. This may seem a matter of dry legality to you, unless you happen to be hit by a brick falling from a building in construction, public or private, and begin an effort to collect damages therefor. When we come to deal with mixed agencies, authorities, and corporations, the issue between public and private becomes all the more confusing.<sup>9</sup>

Is a public utility public or private, or is it both? Public and private are not words with which all problems can be solved; nor do the phrases "public utility" and "private enterprise" settle everything.<sup>10</sup> The struggle between absolute individualism and absolute collectivism is intellectually a sham battle. There are no such complete alternatives. The individual is born into and works within a social system without which he cannot even begin to operate. On the other hand, the collective is inevitably rooted in the personality of man and presumably serves his purposes. The end goal—even of collectivist systems, however violent their methods—is alleged to be the release of the personality. In the Marxian theory, anarchy is the goal. The purpose of individual-

9. McDougal and Miller, "Public Purpose in Public Housing," *Yale Law Journal*, LII, No. 1 (1942).

10. See Merriam, *The Role of Politics in Social Change*, chap. ii.

ism—whatever its methods—includes the promotion of common good. Private enterprise is not unmindful of the common good, from the days of the English Common Law until now.

What religion or philosophy ventures to make the ego the supreme end of life? Is it Christianity? Is it Moham-medanism? Or some other member of the group of comparative religions? No. Along with self goes sacrifice, without which the personality cannot be explained. Soldiers who volunteer for services that almost certainly mean death, missionaries who devote themselves to colonies of lepers, mothers who go down into the valley of the shadow of death to bring children into the world—all these are inspired by other than purely selfish motives. Of course you may call sacrifice a form of selfishness; and if this dry husk is soothing to you, take it along and gnaw it as you go. What we are really saying is that public and private interests are often so inseparably intertwined that it is impossible to tear one strand away from the others and leave anything living.

The formalized philosophies of anarchism and totalitarianism are alike in their failure to effect a sound reconciliation between the state and the personality, between public government and private government. The anarchistic solution, namely, the abolition of the state, was a violent and futile reaction against juristic theories and economic and social practices building up the power of arbitrary rulers, not only in the field of public government, it may be noted, but also in the field of private economic government. This particular doctrine no longer moves men as it did a generation ago, but it is a recurrent philosophy from the days of Chinese

theorists on down through the course of philosophy.

The totalitarian doctrine stresses shrilly the complete priority of the state and the subordination of the individual. But Hitler and Mussolini did not discover patriotism or the common good. They borrowed an idea and pulled it out of shape. The supremacy of the state from the point of view of juristic hierarchy is not new or at any rate not newer than three hundred years. It was stated by Bodin in 1576; and the nature of juristic sovereignty one hundred years ago by the English jurist Austin. To this the totalitarian has added only the sadism of frustration, the razzle-dazzle of the demagogues, and the drunken attempt to put in universal practice what had hitherto been a convenient legal tool rather than a god to worship. I shall discuss the doctrine of sovereignty more fully in paragraphs that are to follow.

The individual interests that profess to serve the common good at the sacrifice of the common good are not the interests around which we build our value systems. The man who consistently places his private good above the common good is characterized as a parasite and never as a great creator. Private enterprise conflicting with the common good is not the creative enterprise we cherish. Public enterprise which treats the human personality only as a pawn is not the common good we hope for.<sup>11</sup>

All this does not prove, and is not intended to prove, that there is no substantial and important difference between public and private interest in all groupings, between what is the common good and personal good.

11. See Beardsley Ruml, "Looking Ahead," *Survey Graphic*, May, 1943, p. 224.

These comments are designed to demonstrate that lines between "public" and "private" are not absolutes, but that there are zones of coöperation and cohesion in the common cause and on a common basis in many fields of human action. As Aristotle said centuries ago, the isolated individual could not exist except as a stone hand. The lone individual does not figure either in family relations, in neighborhood relations, in state relations, in social relations, or in the higher values of religion. Nowhere is he left without guiding social groups, personalities, and principles.

Nor does the state exist for itself alone. Whatever the legal possibilities of eminent domain and the juristic jargon of omnipotence and irresistibility, the wise state does not wish to dominate everything or to master everything. Government is the tool of the common good, a symbol of common interests. The state is not a god. The ruler is not a mortal god as Bishop Bossuet maintained in the days of Louis XIV. The state is us. We are the state. Its functions and powers are ours.

Many of the common distinctions between states and other societies distinguish little on close analysis. That the state has a universal jurisdiction over its territories and a monopoly of violence is usually declared, and at times this conclusion may serve a useful purpose, with value as a broad historical observation. But if traditional forms of violence are superseded by milder forms of aggression not definable as violence, such as economic or psychological intimidation or pressure? What if the state should be a world state?

In times of crisis, such as pestilence, flood, fire, famine, war, the state is driven to undertake nearly all activities

in the category of human behavior and may be applauded for the activity. Commonly, the functions of the state are listed as external defense, internal order; and alongside these are justice, common welfare, the development of the human personality through liberty and happiness. But private governments may also promote the general welfare, may aid in the maintenance of internal order, help in national defense, and promote both personal liberty and the common good. In a free society a state promotes the common welfare. In a free society a state promotes and encourages freedom of enterprise, private or public, fitting in with free society.

The state from time to time undertakes functions in behalf of the group deemed to be common and wise. These actions may not be in accord with an enlightened view of the end of the state. This may not satisfy the demands of the precisionists for rigid demarcation, but it goes as far as the order of precision in which the political society is set. This leaves always a zone of uncertainty, but this zone of uncertainty is the life of the pluralism of societies which make up the free society. This zone is indeed a margin of safety which prevents too great precision in an area where it is not indicated, and where too precise decision for that very reason becomes arbitrary and absolutistic. But just government, public or private, is an end, whatever the forms of regulation or direction or coöperation. Behind political power are value, purpose, end—justice, liberty, order, security, welfare. Government itself may be a value, but a value leading to other values.<sup>12</sup>

12. See Merriam, *Political Power*, chap. v, "The Shame of Power," and chap. vii, "The Morbidity and Mortality of Power."

Finally, in a democratic system, the rivalry sometimes arising between public and private organizations may most readily be reconciled. In a democracy all agencies and authorities are, or profess to be, servants of the common good. They are linked together theoretically in cooperative enterprise. They are aids in obtaining the genuine consent of the governed effectively, with a maximum of reason and persuasion and a minimum of violence and brutality, with an end result of justice. There are parties and pressure groups and ambitious aspirants for more and more power in these various groups. But they must all pledge allegiance to the common good, in theory if not in practice, and the superior claims of the community they profess to serve. The democratic forms of free association respect most fully the dignity of man, his possibilities for growth, the unfolding of the human personality in its widest forms. Under these conditions private enterprise and public enterprise, private rights and public rights are not in opposition but in apposition—free industrial and free political society—in the course of becoming the realization of the common good. We would not destroy all private governments if we could, but on the contrary encourage and foster them. Sound private governments of private groups will not destroy public government. They are themselves a part of the system of order and justice, of which the state is a symbol and an instrument for the realization of human values. The first step of despots is the disintegration of legal bodies, of parties, of churches and schools, of unions, of industrial and agricultural associations.

In a government of one or of a few, all associations

may be suspect except those of a small ruling clique. They are all possible centers of resistance and hence dangerous. In a government of the many, on the contrary, these associations are the bases of liberty, order, justice, democratic habit and practice, bulwarks of the republic. Out of the energies, the enterprise, the rivalries, the adjustments of these associations arises what we call public opinion, the final stabilizer and judge of liberty, justice, order.

In any political society, if private governments or associations disclaim or disregard community responsibilities, either ignorantly or intelligently, then confusion and dangers arise. But in a free society the general recognition of the significance of the common good makes these dangers and tensions less likely to arise than in an absolute state. The democratic process may be slower when we employ patience, good will, adjustment as instruments rather than the tools of command and violence; but the end result is a higher level of morale and a closer coöperation of vital elements in the community, a higher standard of human achievement and happiness.

## II SOVEREIGNTY

### *Changes in Meaning*

SOVEREIGNTY is an old friend of mine, with whom I have passed many pleasant and some unpleasant hours during the days of my years. After burrowing around in the libraries of the University of Berlin, in the Bibliothèque Nationale in Paris, in the library of Columbia University under the joint direction of Professor Dunning of Columbia and Professor Gierke of the University of Berlin, I came up out of the tombs, so to speak, with a doctoral dissertation on the *History of the Theory of Sovereignty since Rousseau*, pp. x-232, in the Columbia University Series in History, Economics, and Public Law, Volume XII, No. 4 (1900).

In the spring of 1911 when I was a candidate for mayor of the busy city of Chicago, I well recall a cartoon in the Hearst papers picturing me in cap and gown with Roger Sullivan, the Democratic boss, under one arm, and under my other arm a copy of the *History of Sovereignty since Rousseau*. Perhaps this cost me my election—along with a hundred other reasons equally good.

In 1932 I sat in a room on Unter den Linden in Berlin, scribbling away on a volume which was later entitled *Political Power*. Many have asked why I omitted sovereignty from *Power*, but that is another story. I was trying to get at the stuff of which sovereignty is made.

In 1937 an energetic student of mine, Hymen E. Cohen, wrote a dissertation on *Recent Theories of Sovereignty*. This brings me almost down to date, if I

include Dr. Cohen's essay on "Sovereignty" in my obituary, called *The Future of Government* (1942).

I had the advantage from the beginning in studying in Berlin under Dr. Hugo Preuss, later draftsman of the Weimar constitution. Dr. Preuss, who was by the way a member of the City Council of Berlin, tore out sovereignty root and branch from our vocabulary daily before my eyes. He held that it was hostile alike to any system of constitutional law and to any system of international law. I followed Dr. Preuss, I may say, in experimenting with membership in a city council in a large city, but I did not follow his general theory of sovereignty. Since those days I have studied with great interest all the doctrines of sovereignty that were current—Duguit, Jellinek, Esmein, Barker, Kelsen, Krabbe, Laski, among scores of others.

Sovereignty was born of the transition from feudalism to the national state. I say this with due apology to my pupil, Dr. Lin, whose recent volume on *Men and Ideas* (1942) indicates that early Chinese philosophers had some concepts of what we now call sovereignty. Chinese philosophy is not, some wise authors say, as germinal as the Greek philosophy; but you can find something to prove almost anything in some of the community of Chinese scholars.

The sovereigns came out of their bloody struggle with feudal lords whom they overwhelmed, not only masters in fact but in law. The winning sovereign received the degree of sovereignty *summa cum laude*. This meant that for the vanquished little feudal lords there was no longer any legal appeal from violence to reason. I am not unmindful of the fact that Jean Bodin left some loopholes in

various forms of extra-legal law such as the common custom, the law of nature, and the law of God. The catch in this was who should interpret these laws. The vanquished or the victor? In later days the philosopher across the Channel, Thomas Hobbes, closed up even these limited and difficult ways of escape in his famous work on the *Leviathan*. He left nothing but absolute and unrestricted sovereignty without recourse. In the picture of Leviathan, however, appearing as the frontispiece of his book, the somber Thomas left the little leviathans as parts of the great leviathan.

It has been seriously proposed to delete the word "sovereignty" from our lexicons. But the question always arises, what should be the substitute? Dr. Preuss' offer of the term *Herrschaft* and Cole's "democratic supreme court of functional equity" are not very helpful. "Leadership," "authority," "supremacy," do not carry us much further. What shall we call the substitute for the thing we have thrown out? What is it that takes the place of sovereignty in a world of nonsovereign states? After all, is it the word we wish to throw out, or the concept, or the implications of the concept or the word?

The truth is that the old-time "sovereign" has disappeared, although of course there are still kings and queens and shadows of the potentates of the past. But we are not overawed by them. Crowns are no longer gold but tinsel. We pay the tribute of social preëminence. But our knees no longer tremble at the sight of royalty nor do our voices stick in our throats when we address them. In a meeting with the King of Italy I had some years ago during World War I, the only topic that seemed to interest his Majesty was the discussion

of the powers of the President of the United States. "Ah," he said, "there is an office a man might wish to hold. But as for me, I only sign what they bring me to sign."

We observe that sovereigns are not sovereign, that they do not possess what has been called sovereignty. We view their royal trappings with much social twittering, but not with fear either of their steel or of their gold or of their imperial and God-given wisdom. Curiously enough, we seem to admire them in proportion as they show that they are human rather than as they assert their divinity. King Edward's farewell address "at long last" was perhaps the high point of his political career—a great love story. We are not overimpressed by the divine sanction for the Emperor Hirohito's behavior and that of the Rising Sun.

Nor are we overawed by the Duce and the Führer with their "high-blown pride" which may at any moment break under them. The sawdust Caesar is already broken indeed, and his Austrian counterpart is on his way.

There is no greater illusion than that created by the projection of any little brief authority, reaching beyond its field of social usefulness until it becomes a form of social poison. There must always be a marginal allowance for personal satisfaction in the pride of office; and, if this is temporary and recognized as such, inconvenience may result but no great social harm. But the pictures of unkinged kings, of deflated demagogues, of outmoded statesmen are full of meaning. "My little good Lord Cardinal," the word of the Duke of Norfolk to the fallen Wolsey, has a universal meaning often expressed in less gracious terminology.

The identification of juristic sovereignty and its attributes with the physical person of the sovereign is now only an interesting recollection. Indeed the doctrine of sovereignty turned out to be the epitaph of personal sovereigns rather than their eulogy. The appeal to reason was useful for the moment but fatal in the end. As with the doctrine of divine right, discussion does not help.

Gone also is the identification of sovereignty with irresistibility, absolutism, irresponsibility, arbitrariness. Gone are the days when sovereignty implied that there was no recourse or appeal to the judgment of other value systems. The tragedy of totalitarianism is, in fact, the inability to see social unity and integrated political direction operating in a world along with other judgments and other values. Men may look at times for leaders but not for irresponsibility. We are more willing to consent than to be coerced. This is why we prefer Jeffersons, Lincolns, Roosevelts, Churchills, and Mazzinis to Hitlers and Mussolinis. Sovereignty in short is no longer tyranny, despotism, arbitrariness, and arrogance. It is thought of as the substance and the symbol of the principles of social integration and guidance which are inevitable in social relations. "I am the State"; "I am the first servant of the State"; "I am a responsible leader of my people"; these represent a historical evolution of the idea and institutions of political organization.

Sovereignty is the high point in the political hierarchy. It is a concept related to ultimate decisions as to order and organization—a symbol of intent to decide and act as well as to deliberate. This idea once became a tool of

arbitrary personal authority. It has happened in the past and, it must be noted, may happen again. Possible betrayal of trust is the ABC of political government. There cannot be power without dangers of abuse of power, twist and turn as we may. This is no less true of private government. There are some who fear power and hope to take this word also out of our lexicon. But this is an impulse not of abundant life but of fear and of death; for there can no more be political society without some power—which may be abused—than there can be bodies without life. Others fear themselves, fear assumption of responsibility. Yet political virtue consists not merely in negation but in sound balance.

### *Limitations of Sovereignty*

BUT is not sovereignty absolute and irresistible in its very nature? The essence of sovereignty is not in these attributes. Sovereignty lies in the focussing of recognized authority for the purposes of the common good, in the concentration of power necessary for community action. The lack of understandings regarding power, its realm of decision, its mode of operation may be and at times is extremely dangerous. Absolutism is an evil we seek to avoid; but so is anarchy an evil we seek to avoid; so are indecision and unending vacillation. The dangers of one are as real and terrible as the dangers of the other. Sovereignty is self-interpreting and self-determining only within the borders of what is recognized and accepted as the current legal or political order; but there are other orders and values. Authority may define its own rules and regulations with precision and finality, but this decisionism is not final or precise socially unless

it is acceptable to the society.<sup>1</sup> Of course, if there is no common understanding regarding what is the common good, or if there is no common understanding regarding the ways and means and forms of exercising the authority of the commonweal, then we do nothing but oscillate between anarchy and absolutism, or run from one absolutism into another, of a different color perhaps but of like kind.

The growth of modern society and modern civilization has made it possible to avoid painful and costly extremes in political behavior. It is in the light of these gains of civilization that we must measure the concept of sovereignty. What are, we may ask, the specific recent developments which affect the mobilization and centralization of political authority? They are as follows:

1. The growth of the consent of the governed, of forms of constitutional government and civil rights, the idea and practice of representative government, the responsibility of the government to the governed. In short, the evolution of free political society with its ideas and institutions has fundamentally changed the order in which political leadership must operate. This is why the British Parliament may possess complete legal sovereignty but serve free people. It was none other than the great authority on the British Constitution, Professor Dicey, who once declared that if the British Parliament should order that all blue-eyed babies be put to death, that would be the law. The British Parliament, he went on to say, can do anything except make a man a woman. But the commonly accepted understandings regarding

1. Cf. Ferrero's *The Principles of Power*, on "Legitimacy."

the nature and operations of constitutional government make such behavior impossible and unthinkable. The legal power is there, but the system and the practice are based upon consent. All this rests upon the basic fact that political power can operate only within the radius of its own political and social system, whatever that system may be. Woe be to him who misunderstands the common understandings and thus overthrows his own reason for existence. And this is something the jurists cannot always tell him.

2. Outside the world of juristic positivism and the symbolism of political preëminence there has developed in recent times a body of scientific certitudes and probabilities of profound importance. Appeal to these scientific and rational verities may be made from the conclusions of the political as well as those of any other social authority. These verities do not have political power as such, but they have social reality as such, and they influence the patterns of social economy and political behavior. True, the final legal judgment cannot be illegal; but if these judgments are unscientific, their force is weakened or nullified. Strangely enough, it may seem to some, the cumulative growths of science, learning, and reason have become checks upon the arbitrariness of political power or any other social power. The doctors, the engineers, the scientists, physical and social, do not possess a veto; but they can set up red lights and warnings. Any one of these warnings may be ignored and often is, but the general body of warnings can be ignored only by destroying the basis of science, technology, and reason upon which power, military or civil power, really rests. Rulers who do not believe in or encourage thinking

cannot long control the process of thought. Reason and science are expansive, creative, incapable of continued repression.

3. Systems of moral, religious, and social values serve more than ever as checks and balances against arbitrary political authority or other social authority. If religious and moral values are less formally organized than during the Middle Ages, they are nonetheless still powerful. It is never wealth and arms that make religion powerful, but an inner force more cogent. "Seek ye first the kingdom of God." Value systems are stronger now than ever before, and they constitute nonlegal courts of appeal and centers of resistance against the arbitrariness of political authority. These checks are not powers of veto but of protest, of remonstrance, of legal resistance. The civil disobedience of Gandhi is a striking illustration of the possibilities in this particular direction. I am not advocating civil disobedience, but I recommend some knowledge of the force it contains.

In the original development of the doctrine of sovereignty, Bodin found limitations in natural law, in common custom, and the will of God; but in later days these were forgotten. The sovereign began to think of himself as the special ambassador of the Most High, with the exclusive right of telling what the Most High had in mind at any given moment. In view of the dramatic struggle between the church and the state, it would appear that with the rise of the national state the influence of the church went down except as it became a national church. But in our time moral, religious, and idealist values are more thoroughly established than ever before in the history of mankind. The contrary view is

based upon mistaken observations regarding the value of varying institutional forms and theological tenets. These institutions and creeds are not the essence of the higher values but their external expressions and manifestations. Institutions may canalize values or obstruct them, but institutions themselves are not the values.

It is within this newly emerging framework of libertarian political institutions, of scientific certitudes, of moral and religious values, that emerging sovereignty must operate, if it is to function usefully in a political society. Reason, not force, is to be its milieu; general, not personal understandings.

### *External Sovereignty*

BUT, it may be said, does not sovereignty stand in the way of a jural order of the world? Are not unlimited sovereignties inconsistent with the reign of world justice and order? Are they not in conflict with the unlimited rights and sovereignties of others? The briefest answer is that there never were unlimited sovereignties in any world of justice and rational order, nor can there ever be. No state can justly demand, for itself or others, omnipotence, but only coördination, integration, unity. The truth is that nations never were omnipotent either in fact or in law in their relations with other nations. Whether or not international law is real law, as Kelsen forcefully maintains, justice has actual power among men. That nations have not had full freedom of aggression against their neighbors has never been regarded as a limit upon sovereignty. In a world of order which forbids aggression and outlaws war, nations are not permitted to attack at will. Yet this is not in reality a restriction on

the sovereignty of fifty-odd states, but a reënforcement of it. Without security against aggression, liberty is not possible for the bulk of mankind. The person who does not consent to some established order becomes an outlaw. He cannot claim a right without conceding the counter-right. A nation no more loses its personality within a jural order of the world than does an individual in a democratic society. The nation which will not participate in a world order becomes an outlaw. It cannot claim a right without admitting a rule of law. Neither outlaw individuals nor outlaw nations can complain if the treatment of outlaws is visited upon them.

Nations do not lose by action in concert with other nations in the pursuit of the aims of common humanity. On the contrary, they are gainers. The exchange of piracy for the security of world organization was a good trade. We do not know, of course, how far the Four Freedoms may be taken under general protection or in what manner; but many hope for practical agreement which will bring freedom from fear and want to all men everywhere. A jural order of the world must have behind it a reserve of economic, social, and cultural advantages and values. A plank in the platform of the United Nations might be the development of the national resources of all peoples and a positive common effort toward the elevation of human standards of living. The authority of the united peoples will not be directed to imperialism, either old fashioned or new, but toward the increasing recognition of the dignity of man and of the right of men everywhere to fair participation in the gains of our civilization—gains the full meaning of which we have hardly begun to realize.

The United Nations can have no just authority except that deputed to them by common consent. The framework of sovereignty as the legal apex of a hierarchy will remain where it is. Sovereign states can exist and operate in the larger framework of a legal order of the world. Only in such a framework can they securely operate. World organization of law will not impair the rights and values of the states scattered around the globe; on the contrary, these groups will be insured against aggression, oppression, and annihilation. Nations will still be nations. There will not be fifty omnipotent and irresistible sovereigns, nor were there ever. There will be nations whose peaceful and prosperous existence is insured by a world order of law.

External sovereignty in relation to other states was never absolute and unrestricted, except as a matter of force and not of law—and it was contrary to international law at that. If a state is omnipotent internationally, it need not invoke the law at all. In a jural order of the world, states are not asked to give but to receive; they do not lose; they gain. They do not give up what they never had. They are given security, equality, capacity for self-development. When the outlawry of war was accepted by all the nations of the earth, under the Kellogg Pact, they were not surrendering anything. They were on their way toward realization of the greatest good for mankind. And if they had adhered to their agreement, how much better off each and every one of them would be today—richer in material goods, richer in man power, richer in terms of national income, richer in the higher and finer values of life. Five hundred billions is gone in this war, and how many lives, and how much human happiness?

Sovereignty need not be a stumbling block to a working arrangement which would prevent another series of wars. There is nothing in the concept or the fact of sovereignty that would stand in the way of an adequate and effective jural order of the world. Sovereign nations can cooperate in the framework of a legal order of the world, and, indeed, only in such framework can they be secure. Sovereign nations do not lose by association with other nations; they are the gainers. Their sovereignty is in reality expanded and made more practically effective. They are not losing sovereignty; they are securing what they have and, from the world point of view, are gaining.

You may ask, "How can they all gain?" All gain by terms of a fair contract or a fair deal or a fair agreement or a fair association among men or among nations. The United Nations are not losing their sovereignty by acting together now, whether it is in the Pacific, the Atlantic, or the Mediterranean, on land, or sea, or in the air. They will not lose their sovereignty if they continue in reasonable paths of soundly worked out cooperation after the war.

### *Trends in Sovereignty*

THREE hundred years ago the emergence of the concept of sovereignty aided greatly, along with transportation, communication, industry, science, in the transition from outgrown feudalism to the ampler boundaries of the national state. The result of this change was an enormous gain for mankind. A broader field of justice, of communication, of administration made possible the adjustment of the political order to new conditions in

technology, to new forms of industry and trade, to new areas of freedom. It would not be possible to go back to the old system now, and who would suggest it? Internal sovereignty never was really complete. It was always limited by considerations arising from justice, liberty, general welfare. There might be juristic finality, but there remained effective limits. If the Parliament declares that all blue-eyed babies shall be put to death, that is the law; but it is not the fact. At this point psychiatrists would be needed rather than jurists.

With the further development of technology, with new bridges across time and space, a still larger and more spacious order arises, and again adjustment must be made to meet the new conditions. In order to establish justice and order and to promote the general welfare as well as to secure the blessings of liberty to ourselves and our posterity, we must again lift up our eyes to the broadening world that lies around us. We can adjust ourselves to the new world made by the new science, the new technology, the new reason and reflection from which our civilization is formed.

But the inspiration and leadership to make the constructive changes that are necessary will not come from those who dwell in doubting castles. We shall not seek the advice of Mr. Facing Backwards and his sincere but misguided friends. Recognizing that from time to time great forward movements must be made, that new values must emerge into which the older values are drawn, we shall press forward under direction and leadership that are at once courageous and constructive, devoted to the organization of order and justice throughout the world and the organization of those economic, social, and

cultural forces which are the essence of human living. We can make governments and legal forms our servants, not our masters. We can make our mechanical technologies hewers of wood and drawers of water, and not our overlords. We can make legal reason obey the commands of peace rather than the dictates of war.

If sovereignty wishes to dwell among us on these terms, there is a place for it in our terminology and our practice. But sovereignty will be the servant, not the master, of human destiny and must recognize the environment in which it lives. Sovereignty must make friends with constitutional values, scientific values, idealistic values, which are the heart of our new civilization.

Bloody crimes have been committed in the name of sovereignty, of order, of justice, of liberty. Dark deeds have been done in the name of religion. The chronicles are filled with descriptions of human atrocities that chill the blood—in all these names. Vandals and gangsters who come to power, seizing for a moment the weapons forged by human reason, may cry “sovereignty” when they mean power, “liberty” when they mean violence freed from all restraints. But order, justice, liberty, sovereignty have no true part in political Saturnalias. The values of liberty and justice are values still, no matter how stained in some devil’s mass of lust for power. In the end they emerge with their meaning unclouded.

Sovereignty as the rational defense of irrational deeds, as the jurist’s plea for what the despot’s power could not achieve, this sovereignty is dead. But sovereignty as a symbol of the unity of the state, the dignity of the

common good, the apex in the hierarchy of order, the determination to decide as well as to deliberate—in this sense sovereignty still lives. If sovereignty speaks as one having authority, it will be because it speaks as one having reason, justice, liberty, human dignity, as the co-authors of its authority.

### III NEW MEANINGS OF ORGANIZATION

THE topic I am about to discuss deals with the assumptions underlying the word and the concept "organization." What do those who love to organize mean by organization? I refer not merely to verbalisms but to the underlying assumptions governing the meaning of the organizing process. Some of these assumptions are made by professional students of administrative organization or in the broader sense government. Others arise in a considerable variety of differing groups. The psychologists and biologists have assumptions regarding organization. The sociologists and the anthropologists have special ways of looking at organization. The economists likewise have their own approach to the world of organization. Do these various views converge toward any central point? The methods of approach are widely different, and an examination of each of them may help in understanding and appraising the problem as a whole.

The interest in organization is not by any means a modern phenomenon, but it is safe to say that never in the history of the world were there as many persons concerned with the ways and means of organization. In early times organization was surrounded by a halo of magic or even in some cases of religion. I wrote an article a while ago called "Managers as Magicians." For material I went back to studies of primitive tribes and their primitive customs. But I fear my friends in the field of public administration were shocked by my dis-

cussion of managerial and organizational functions either as white magic or as black magic. The role of public magicians and of private magicians seemed far removed from reality. I discovered many interesting similarities between the old-time magician and the modern organizer. But this is a story for another day.

Long ago there was deep interest in the more abstract question of whether a society as such was artificial or real. I recall writing one time in Columbia University what seemed to me at any rate a learned discussion on the *persona realis* and the *persona ficta*—a central point of a very learned controversy in which many sharp-witted scholars and statesmen took a wordy if not a bloody part. But this also is another story.

The modern interest in organization is essentially a function of recent mass activity. The vast expansion of physical power in our day has been accompanied by great mass efforts. With this comes sharp specialization of labor, and with these specializations of activities comes the urgent need for new modes and mechanisms of coordination and management. Thus we have elaborate and important studies of organization developing with the rise of large standing armies. We see the development of intensive interest in organization, in mass developments of industry. What has come to be called "efficiency" or "rationalization" has led to many detailed and painstaking studies of industrial behavior and its most appropriate organization. From the point of view of the worker, who is not satisfied with being merely a guinea pig for efficiency, the problem of the most fruitful organization first of labor and then of labor and management has been a challenging one.

In the field of civil government with its forms of social control adapted to the new and far-reaching developments in industry, far greater interest has been aroused in the technical problems of organization than ever before. At first this took the form of critical examination of the balance of powers, but later there was added the study of the political behavior of great masses of governmental employees. The civil service as well as the military service became the center of interest for many responsible officials and many inquiring and scholarly minds were concerned with the central problem involved. Such are the roots of an unparalleled interest in the framework and structure of the social environment in which we live and upon the effective working of which depends so much of our comfort and happiness.

### *Science and Organization*

FROM a somewhat different point of view came another stream of interest in the same general subject. The nineteenth century was marked by a development of extraordinary interest in biology and the processes of evolution. Scholars in this field were no longer satisfied with debating the relative merits of the artificial person and the real person, or the early nineteenth-century "organicism," but with the aid of scientific techniques they now undertook to understand the biological structure and process in the most intimate way. Scientists began to deal with groupings, clusters, constellations, and configurations of one type and another as a means of describing psychological behavior. This process involves the consideration of "patterns" rather than of

organization, but patterns are in a sense themselves organizations.<sup>1</sup>

It is important to sketch some of these new developments, far afield as some professional students of administration may find them at first blush.<sup>2</sup> Yet it must be realized that organization is a cross section of the science and technology of the time. Organization does not live alone but develops in the general body of the thought of the period.

Both biologists and psychologists and those on the border line between the two disciplines have interested themselves recently in the meaning of organization. Part of the discussion has revolved around the difficult boundary of mechanization and metaphysics. This is not quite the same as the old problem of the real and the artificial person, although there are some notable similarities. J. B. S. Haldane declares, for example, that "the structure of a living organism has no real resemblance to that of the machine since the parts of the machine can be separated without alteration of their properties." K. S. Lashley indicates that the only difference between the mental and the physical is at the point of "organization." With the use of this concept "coalescence between neurology and psychology" might be brought about. Likewise the biologist and psychologist, Kurt Goldstein, has indicated the importance of the concept of the organism as a whole for the explanation of his special problem of brain lesions.

1. See also Childs, *Physiological Foundation of Human Behavior* (1924); and Herrick, *Neurological Foundations of Animal Behavior* (1924).

2. Compare the architect's concern with the problem of "organization," as essential to good art, but also concern as to the relation to "function, expression and communication." See R. Faulkner and others, *Art Today* (1941).

Charles Sherrington, *Man on His Nature* (1941), finds that the cell is a structure in a dynamic equilibrium, a moving system so constituted as to establish and maintain itself for a time. Thus he arrives at the view that the only difference between structure and function in the constitution of the human organism is a difference in the speed of change.

From a slightly different point of view, namely, that of the students of mutations, has come the phrase "organizing genes." Almost in desperation students like Jennings<sup>3</sup> have endeavored to find some explanation for the otherwise inexplicable process of mutations. It is decidedly not within my competence to follow through with details of these discussions, but it is quite clear that the biologists are seeking for some form or pattern that will bridge over the gap in the repatterning of the chromosome. For all I know, the chemists may hold the solution of the problem.<sup>4</sup> In any case, the issue is not whether the organization of the whole should be considered but whether this organization can best be understood by analyzing the inner related patterns of the various constituent units or whether the whole itself is to be taken as the basic unit. It is clear that in biology as well as in psychology the concept of "emergence of an organized pattern out of the interrelationships of units within a system" has met with a strong response.

From the point of view of the *Gestalt* psychologists, attention has been given to the meaning of organization. "A *Gestalt*," says Koffka, "is [therefore] a product of organization, organization the process that leads to a

3. *Genetic Variations in Relation to Evolution* (1935).

4. Richard Goldschmidt, *The Material Basis of Evolution* (1940).

*Gestalt.*"<sup>5</sup> But as a definition this determination would not be enough "unless one remembers that organization as a category is diametrically opposed to mere juxtaposition or random distribution."

An interesting example of the relationship between biology and organization is found in the comments of R. W. Gerard,<sup>6</sup> who characterizes the unit systems in organisms as "orgs." The subclass of living organisms is labeled "animorgs."<sup>7</sup> Thus man is an "org," but he is a unit in an "epiorganism." "Man as an org is selfish, individualistic, and dominated often by the old brain and its emotional attributes. Man as a unit in the epiorganism is altruistic, cooperative and depends on the new brain and its intellectual attributes."<sup>8</sup>

### *Sociology and Organization*

SOCIOLOGISTS have been dealing with the problem of organization for a hundred years. Comte, Spencer, Durkheim, Tönnies are conspicuous in this field.<sup>9</sup> It was Spencer who saw the relationship between the biological and the sociological and in general promoted the organic theory of society. This he described as resting upon two

5. *Principles of Gestaltpsychology* (1935), p. 682.

6. *Science*, XCV (1942), 309-313.

7. The characteristics of animorgs are recited on page 311.

8. "The new brain, the cerebral cortex, is evolving continuously and greatly under the influence of education which profits by cumulative social achievements; the world is ever more at our individual doors, and cooperation is being generalized to larger and larger groups; mankind as a whole will become an integrated cooperative unit; and the ultimate future of human society, however dark it may look to the contemporary sociologists or even to the historians, appears in the eyes of the biologist, sighting down the long perspective of organic evolution, as bright with hope" (p. 313). Somewhat more discouraging is W. C. Allee, "Group Organization among Vertebrates," *Science*, XCV, 289-293.

9. See Talcott Parsons, *Structure of Social Action* (1937), Part II.

principles, one the division of labor and the other the relation between specialization and interdependence. This distribution of duties and organization of agencies of intercommunication and direction he considers the characteristic feature of society. There is in the history of sociology also in a later period a revival of the old issue of realism against nominalism.

Others occupied themselves diligently with the interesting problem of what constitutes the primary social fact—the social nexus between men. In my day at Columbia I listened to many imposing lectures by the brilliant Giddings on the “consciousness of kind” as the fundamental factor in social relations. Later, my friend Thomas expounded wishes and wish fulfillment. *Gemeinschaft* and *Gesellschaft* have been minutely distinguished. I am not unmindful of Simmel or of the work of Durkheim and Weber and many others dealing with classes, social forces, stratification, and structure. There is a vast amount of empirical investigation which is not yet theoretically analyzed and appraised. It is not unlikely that important developments may be seen in this field in the not-too-distant future, when sociology has more perfectly reconciled its general philosophy of society with the minute facts of social behavior.

### *Anthropology and Organization*

ANTHROPOLOGISTS have been concerned with the study of organization<sup>10</sup> in their important studies. Anthropologists have dealt largely with social organization as a configuration of behavior patterns which is abstracted

10. Robert H. Lowie, “Social Organization,” *Encyclopedia of the Social Sciences*.

by the student from the concrete behavior observed in a given society. Underlying this configuration is a set of beliefs and tacit assumptions which in the eyes of the individual makes the existence of these agencies, their relation to one another, and their dominant influence on personal conduct appear legitimate.<sup>11</sup> Thus, while the external facts of organization are accepted, the concept itself is not too clear in its use by various students.

What is commonly called "organization" is by some anthropologists used in an opposite sense. Thus primitive groups are said to be highly "organized"<sup>12</sup> as compared with higher-level organizations which are viewed as "disorganized." Where there is a wide range of alternative choices in cultural systems, the index of social "disorganization" rises. Consequently, social organization according to such authorities as Linton and Redfield becomes disorganized in direct proportion to the number of alternatives for action which are presented to the individual. This does not, of course, preclude the possibility that under circumstances where this wide variety of alternatives exists there may be greater need for invention of artificial types of social organization.

### *Economics and Organization*

It is appropriate at this point to discuss the meaning of organization in the field of economic behavior. The older economists, particularly of the laissez-faire school, did

11. Compare Ferrero in *The Principles of Power* on "Legitimacy" from the widely different point of view of this historian.

12. Robert Redfield, *The Folk Culture of Yucatan*; see also Robert Redfield, ed., "Biological Symposia," Vol. VIII: *Levels of Integration in Biological and Social Systems*; and Ralph Linton, *The Study of Man* (1937).

not discuss formal organization as much as they did spontaneous patterns of action growing out of the competitive system. Spontaneity rather than organization was stressed and there was particular suspicion of organizational forms of a governmental nature. These thinkers dealt largely with what was called the organization of production and the institutions essential to such organization. In some instances a distinction was made between organization of production in the narrower sense and economic organization in the broader sense.<sup>13</sup> In general, however, the older writers strongly emphasized the market mechanism and its automatic economic effects in stabilizing economic processes. But the later economists, dealing with large-scale mass production, with time and motion studies, with rationalization and efficiency, employ the term "organization" in much the same sense as the students of mass employment in the governmental field, presently to be considered here.

### *Political Science and Organization*

THE earlier political thinkers used the term "organization" in the broadest sense of the term, that is, with reference to the widest aspects of the patterns of political forces in a given state. Thus a political society might be organized as a monarchy, aristocracy, or democracy, as a city state, feudal state, a national state, imperial state, or a world state. Emphasis was also placed on the organs of organization. These came to be standardized in the course of time under the head of legislative, executive,

13. See F. W. Taussig, *Principles of Economics* (1915-17); and Alfred Marshall, *Principles of Economics* (8th ed. reprinted 1936).

judicial organs, the combination of which in some form of balance was held to be the indispensable basis of sound organization. This principle was embodied in many constitutional systems and with many wide-ranging variations.

With the development of mass action, however, the use of the term "organization" shifted somewhat. New points of view and new vocabularies began to appear. Military systems developed concepts of administrative organization related to the efficient conduct of war. Notable was the organization of the general staff in our own country through Elihu Root. On the civil side, in France and in Germany particularly, there developed doctrines of public administration and of administrative law. The principles and practices of administration became an essential part of the rounded education of jurists, administrators, and statesmen in these countries. More slowly in England and in the United States doctrines of administration began to appear.

### *Public Administration and Organization*

To the development of large-scale economic enterprise, outside the military field, bringing numerous groups of theorists and practitioners over to something like a common ground for the consideration of organization, enter now "time and motion" studies, cost analyses, personnel bureaus, and a whole new apparatus of measurement. Messrs. Gulick and Urwick brought together in an interesting volume the doctrines of Fayol, management specialist.<sup>14</sup> Others were Henry Dennison,

14. Luther Halsey Gulick and Lyndall Urwick, *Papers on the Science of Administration* (1937).

manufacturers; student of engineering organization; James D. Mooney, Vice-President of General Motors Corporation; John Lee, Controller of the Central Telegraph Office in England. Various representatives of the community of scholars including Gulick himself, Professors Mayo, Whitehead, Henderson, and Mary Follett developed this topic.<sup>15</sup>

It might be said that their use of the term "organization" was not always clearly defined, not always distinguished sharply from coördination or integration, management, administration. Dr. Gulick defines organization as "interrelating the subdivisions of work by allotting them to men who are placed in a structure of authority, so that the work may be coördinated by orders of superiors to subordinates, reaching from the top to the bottom of the entire enterprise."<sup>16</sup> I shall not stop to dwell here upon Dr. Gulick's famous formula, POSDCORB, "a made-up word designed to call attention to the various functional elements of the work of a chief executive, because 'administration' and 'management' have lost all specific content."<sup>17</sup> These initials stand for Planning, Organizing, Staffing, Directing, Coördinating, Reporting, Budgeting. Dr. Gulick also refers to organization by major purpose, by major process, by clientele or matériel, by place.

The famous industrial consultant, Fayol, means by organization<sup>18</sup> "to build up the material and human organization of the business, organizing both men and

15. Mary Follett, *Dynamic Administration*; see also her *Creative Experience* and *The New State*.

16. Gulick and Urwick, *op. cit.*, p. 6.

17. *Idem*, p. 13.

18. *Idem*, p. 119.

materials." Obviously he thinks of organization as part of the larger process of operation which includes planning, organizing, commanding, coördinating, and controlling. Almost the same use of terms was reached independently by Messrs. Mooney and Riley.<sup>19</sup> Barnard draws a line between "scalar" and "lateral" organization.<sup>20</sup>

The purpose of all organization in these definitions is that of unifying effort, that is, coördination. Coördination is itself a phase of authority. Thus Leonard White speaks of the "organization of centers of decision" as a central factor in organization.<sup>21</sup>

John Gaus arrives at the following meaning for organization: "Organization is the arrangement of personnel for facilitating the accomplishment of functions and responsibilities. . . . It is the relating of efforts and capacities of individuals and groups engaged upon a common task in such a way as to secure the desired operation with the least friction and the most satisfaction to those for whom the task is done and those engaged in the enterprise."<sup>22</sup>

It is clear that the students of industry, of armies, and of government mean by organization the process of bringing together in working patterns the various factors of production, whether the product is a marketable commodity, a military victory, or a phase of governmental administration or management. Organization involves a combination of effort to accomplish a

19. *Onward Industry* (1931).

20. Chester I. Barnard, *The Functions of the Executive* (1938).

21. *Public Administration*, p. 44.

22. *Frontiers of Public Administration*, chap. v, "The Theory of Organization."

given purpose otherwise impossible or more difficult.<sup>23</sup>

Very significant are the brilliant borderline studies made by Follett in *Dynamic Administration*, by Lasswell in his several publications, especially *World Politics*, and notably by Elton Mayo in his psychomedical studies summed up in *Human Problems of Our Industrial Civilization*.<sup>24</sup>

These lines of inquiry reach from the analysis of the personality of the administrator or administratee to the social environment in which the administrator and his processes of administration are operating. Yet more searching analyses in these directions, difficult though they may be and slowly as advances may be made and recognized, are likely to add greatly to our understanding of organizational processes in the near future.<sup>25</sup>

It is evident that magic has largely disappeared from organization, both black magic and white magic, but not wholly. Organization becomes a study of mass behavior directed toward specific ends. Leadership is involved but not superhuman leadership. Division of labor assumes a technical aspect based upon many divergent considerations. The whole process of coördination is broken up into its various elements in somewhat different form by various writers. The similarities in the

23. Henry Dennison, "Political Science Engineering" in Gulick, *op. cit.*, p. 133; F. J. Roethlisberger and W. J. Dickson, *Management and the Worker* (1939), chap. xxiii, "Formal vs. Informal Organization," give an interesting and useful account of various hierarchies outside the formal arrangements in an office and their interrelation. See also his *Management and Morale* (1941).

24. See also the unique contributions of Herbert Emmerich in *Public Management*, XX (1938), 264-267. From a psychoanalytical point of view see Franz Alexander, especially *Our Age of Unreason* (1942).

25. I am not undertaking here to deal with theories of leadership, some of which show great promise of illuminating the darker reaches of associated action. But see Merriam, *Four American Party Leaders*.

charts and diagrams of these thinkers are, however, more notable than their variations one from the other. The information available ranges from almost microscopic inquiries, such as those of Emerson, Taylor, and Gant, to psychomedical studies, such as those conducted by Elton Mayo. Both individual personal psychology and the total social environment have been drawn upon to provide material for more effective organization leading to the optimum operational results. It is impossible here and now to deal with the monuments of literature piled up in the last twenty years in the broad field of administration, management, coördination, industrial, military, and civil coördination, in academic, religious, agricultural, and labor coördination. There has developed a great apparatus of technical data, of statistics, of psychology, of refined analysis in various forms.

It appears then that organization in the modern sense involves fundamentally two processes:

1. The division of labor and duties—essentially an analytical process, and
2. The development of patterns of the elements which have been subdivided—essentially synthetic.

This involves many complex problems of structure and function, integration and diffusion, of staff and line, of delegation and supervision, of leadership, of participation, of coöperation, of discipline and morale, of personnel, of planning, of budgeting.<sup>26</sup>

The meaning of organization may also be understood better perhaps by viewing the pathology of organization. How shall we describe disorganization? What are its

26. See report of President Roosevelt's Committee on Administrative Management (1937).

essential elements and factors? What is missing is chiefly an effective distribution of duties, hierarchy of command and responsibility, a texture of consent, and above all there is a black-out of common expectancy as to what is to happen next. In a confused situation, such as a fire, or a flood, or the bombing of a city, the absence of organization may be observed, and on the other hand its speedy emergence may also be seen. These crisis situations often reveal as in a flash of lightning the enduring elements of value in organization. Here may be seen the inner meaning of organization. In ordinary times organization often tends to become identified with something undesirable, inflexible, arbitrary, willful, or sometimes ignorant, incompetent, and even corrupt. Organization is not "us"; it is "they" who organize us against our will perhaps, or to our disadvantage. "They" ration us and rule us through various forms of organization which we may learn to dislike or hate. The atrocities of authority are commonplace in the history of man. I pictured them in a chapter in my *Political Power* called "The Shame of Power,"<sup>27</sup> dealing with the seamy side of power, the obverse side of the things to be admired in government. Organization may be a nightmare to many spirits who have seen or felt its slimier manifestations. Who has not cursed heartily at one time or another what the French call *Monsieur le Bureau*?<sup>28</sup>

### *The "Higher Organization" of Politics*

MUCH attention has been given in recent years to what

27. Chapter V.

28. In the next chapter I deal with organization in a democratic political society.

might be called the "higher organization" of the state, both in the practical experimentation of modern nations and in the domain of theoretical analysis,<sup>29</sup> a topic on which space does not permit full discussion here.

The broad proliferation of special forms of powerful groupings in industry, in labor, in agriculture, in the professions has presented serious problems of balance and coördination in the political scene. The new developments in management and organization have likewise affected the whole environment in which adjustments must be made. Studies in mass psychology as well as in machine technology have added to the complexities of the situation. Factors of communication and transportation puzzle the makers of the new synthesis of power and processes.<sup>30</sup>

Reorganization in Italy and Germany, and in Russia as well, has been on a large scale, but in general rests upon broad political theories rather than upon doctrines of organization in the narrower sense of administrative organization to which so large a share of attention has lately been given. In almost every country in the world there has been experimentation with and discussion of the emerging evolution of political-economic forms and forces now everywhere challenging the peace and security of mankind—technology, cartels, unions, farmers associations, armies, professions, churches, schools. The problem of a socialistic or a mixed economy has led to vigorous debate not only upon economic principles

29. See Friedrich, *Constitutional Government and Democracy*, for elaborate bibliography on this topic; also proceedings of the various International Congresses on Administrative Sciences; Robert Brady, *Business as a System of Power*.

30. Alfred M. Bingham, *The Techniques of Democracy* (1942).

but upon the whole political setting of economics. Marx has been more influential in this field than Freud.

But it is inevitable that sooner or later some of the more modern developments in the study of organization will affect the processes of the higher organization as well. What is the role of structure and function in constitutional or other governments? What is the effective span of popular control in democratic societies, governing the range and type of delegation and supervision? What are the principles governing centralization and diffusion of power in modern constitutional states? What are the modern ways and means of obtaining assent—consent in a modern society based upon the consensual principle—or even without that principle upon an autocratic basis?

What are the relative roles of policy making, adjudication, delegation, administration in the modern state? What is the position of the executive and the legislative agencies in the new society into which we move? What bearing have recent inquiries into coördination, co-operation, span of control, synthesis of operating units, maintenance of discipline and morale upon the processes of the present-day state, especially of the democratic type?

From another point of view, what is the bearing of modern psychiatric concepts upon the higher organization of the political? Dynamic psychology and psychoanalysis have brought to light many unexplored areas of human behavior, chiefly it is true in the realm of the personality. But the relationship between the rational and the emotional, between conscious and subconscious, fixations and frustrations, securities and insecurities, dominance and passivity, "wishes," "drives," dy-

namisms of many types—all these have a bearing on political behavior which can be neglected only at the peril of omitting factors of great meaning in the organization of men. Thus far, as indicated above, only an occasional thinker like Lasswell, or Mayo, or Emmerich has begun to apply these recent discoveries regarding personality, integration, disintegration, readjustment, and reorganization to the nature and operation of social and political structure and function.

In the still broader field of international relations there has been extensive elaboration of organizational devices, but not much consideration of organization as such—even in so scholarly and elaborate a treatise as Quincy Wright's massive *War*.<sup>31</sup> Attention is directed toward forms of jural order of the world and their structural implementation in elaborate and competing forms of proposed governments or orders or arrangements, political and economic as well. The underlying directives range from the specific purpose of preventing military aggression to the establishment of general principles of justice and rights and the implementation of the Four Freedoms and their several elaborations. Jurists, diplomats, and economists have thus far made greater contributions in this field than those who deal with political and social organization in the more specific sense. Lasswell's work is an exception to these more formal inquiries.

### *Conclusions*

Is there any net result of all these analyses and discus-

31. *A Study of War* (1942).

sions regarding the meaning and implications of organization? Do the psychologists, the psychiatrists, the biologists, the sociologists, the statesmen, the students of mass management in armies, in factories, in governments, the administrators, public and private, converge in their conclusions toward any significant points of central interest? Widely divergent as the different approaches may be, they have striking similarities when viewed as part of the general development of the emerging intelligence of our day.

1. "Organization" now deals with new precision tools of management, with new knowledge of personalities, with psychology, statistics, more intimate studies of human interrelationships, background studies of the human environment and of the elements of organization. This huge apparatus of inquiry, analysis, understanding is a characteristic feature of organization in the new day. It is the breakdown of primitive maxims and the addition of many newly recognized elements from which new analyses are made. The technical apparatus of modern organization is far more complicated, elaborate, scientific than that of preceding generations. We now know how to produce, how to fight, how to administer social affairs, public or private, on a massive scale; and no modern group is unmindful of the technical tools available for this purpose.

2. Organization tends to escape from its original trappings of personal authority and hierarchical rankings into a field of more truly organic relationships. Plato at an early date discussed, it is true, a crude form of psychobiological organization of the states. But this was forgotten in the later development of governmental

forms. Organization became the projection of the personality of the ruler—the extension of his authority beyond his view; he divided and subdivided, delegated and deputed his divine or semidivine authority beyond the bounds of his court, much as he might allot his distant lands and cattle to others. The central points in the picture were his unique personality as the focus of order and of course the difficult explanation of the transmission of power. Inequality, ignorance, force were the tools of authority. In our own day these ancient relics still survive in the fanfare of the Führer and his doctrine of the inequality both of individuals and groups of men and of violence as the mode of persuasion.

Organic theories, as distinguished from personal theories, of organization were revived and developed in the nineteenth century but were clumsy and at times even amusing in their effort to portray analogies between the human body and the body politic, whether in Bluntschli or in Spencer. In our time organization has taken on what might be called a pattern form—an organic division of labor with an organic synthesis of connecting and related items of behavior.

Emphasis is not laid as strongly upon personalized authority but upon organic position and relationship; upon the significance of the service performed by the particular persons operating in the general system with others. It is not the authority *per se* or the hierarchy *per se* but the role planned, the contribution or the service rendered that gives it importance and recognition. In modern organization no man is fit to command who commands solely by virtue of his office.

This is language understood alike by the psychologist,

the biologist, the sociologist, the student of mass behavior in all forms of social relations. Organizing is thus no longer accepted either as a personal enterprise or as primarily designed to balance or check one factor against another in some mechanical fashion, but as a focus of dynamic coöperation for the achievement of an organic or common purpose or design. Its double and difficult task is that of harmonizing, stabilizing, energizing a series of personalities themselves not fully integrated and also a series of hierarchies within many forms of groupings. The club will not do this—or not for long. There is needed a fusion of interests and ideals—a common sense of direction—and the direction is justice.

3. Again, the distinction between structure and function is now less sharply stated. When I first studied “civil government,” it was all forms and no functions. But in a sense structure is function and function is structure. The acutest of organizational specialists love to wrangle over the disputed topic of the proper degree and type of “functionalism” in a given organization, or in general, for that matter.

Is the essence of organization the structural parts which make up the organizational pattern;<sup>32</sup> or is the essence of organization the function it performs in the body politic? Is the organization the convenient tool of the function? Since the rise of the common good as the goal of the political society, it has been recognized that formal structure was of secondary significance, although this was often said with the tongue in the cheek of the potentate who would interpret the common good in his

32. See L. K. Frank, “Structure, Function and Growth,” *Philosophy of Science*, IV (1937), 210.

own special manner. Out of the overemphasis on organization arose the special position of legal priority and symbolic precedence and eventually of special status accorded to the personal holder of the structural point of vantage and to the office itself even under democratic auspices. For in democracy as in autocracy the personal holders of special privilege may attach themselves to structural points which they hold long after the functional purpose has been served and forgotten. The test of present-day functioning is thus avoided by recognition of outlived service. Obviously there are great values in Ebenezers, but they do not serve well as permanent guides to forward action in changing times.

That organization should sometimes stand in the way of the functioning of the common good is indeed contradictory but common. The function of organization itself is of course the service of the common good. Yet as there are not only awkward vestiges of survival but also cancerous growths in organisms which turn upon and consume their own bodies, likewise in bodies politic there are inverted growths of a vigorous type which turn against the life that gave them. In both cases we strive, of course, for cure and prevention. We do not yet understand virus very well, either in biology or in politics—what it is, or how to cure, to prevent it.

I conclude that in recent times the meaning of organization rests less upon mechanical structure and more upon function. There are more dimensions in organization than the flat surface of the chart or blueprint may indicate. Much more suggestive are the recent air maps. The fixed forms of structure are less emphasized than in earlier times, while at the same time the priority of

the function as over against the structure *per se* and the official *per se* is increasingly accepted. A government of law and not of men finds strong support in the modern inquiries and conclusions emerging in various forms of functionalism. The movement is away from arbitrary personal authority to justification, on the ground of community service. The last refuge of "personalism" is seen in present-day "leaders," so called, who admit community service as their goal but struggle in vain to escape responsibility.

4. *Organization is now reversed in its emphasis and balance* compared with earlier positional relations. Slave organization and free organization are different solar systems. Present-day organization revolves around the dignity of man, the development of human values. Production and its machinery are the tools of man. He is not a cog in a machine; but the machinery and the organization are by and for him. Thus there is a new center of gravity in organization. This does not destroy organization and morale but is its modern foundation, stronger than any other.

Masses of men and women—millions of them—now know more about organization, its meaning and apparatus, than ever before in human history. Its cult is no longer secret or magic. What now appears is a reasonable expectancy by those concerned that under such and such conditions such and such an outcome will follow, in an organizational pattern, of which they are parts, and in which they share responsibility. Concretely there will be an acceptable division of labor which it is expected will be followed; workers will know what is to be done and leaders may be expected to give directions which

will presumably be followed. There will be understandings and expectancies and there will be an authentic interpretation by some definite person or center—for the time being. There will be a general understanding of the broad directive or purpose of the undertaking. Finally there will be a general consent or assent to the general body of understandings and institutional and personal implementations. Intelligent assent or consent is the condition of true liberty, for it assumes a range of choice. Society is thus not merely an aggregation of bees or ants or other animal societies but of rational beings. If these reasonable expectancies established by general concurrence break down, the system does not function, or not effectively or on the optimum level of operation.<sup>33</sup>

It is not force that really rules and gives direction; it is the understandings and expectancies in private as well as in public government and their flexible development in emerging situations, stable or changing as the case may be. Of course unreflective custom, unquestioning duty, unwillingness to assume responsibility, fear, violence, all play a part in organizational systems; but not the principal role or the long-time role of organizations operating on the highest level of efficiency. Masses of men obey with little resistance up to a point, perhaps a tragic point; but that point must not be too closely approached or too often—whether dealing with an army, or factory workers, or government employees, or even professors.

For complex modern organization must be rooted in understanding, in assent, in consent, in a full and willing

33. See Merriam, *Prologue to Politics*, on "The Organization of Consent," chap. ii.

spirit of coöperation. And this is not merely because our organization is complex but because it is human. Technology and mechanisms are the servant and not the master of mankind. They help to express and realize the higher values which created them, not for the machine's sake but for man's sake.

#### IV DEMOCRACY AND ORGANIZATION<sup>1</sup>

**O**RGANIZATION in a democratic society is fundamentally based upon modern and scientific considerations, although this does not appear to apply to surface manifestations. Superficial critics like Pareto and Faguet have not perceived this. Modern organization is not the old-style hierarchy based upon custom, fear, or force but is essentially concerned with the technical division of labor, with coöperative control, with the psychological foundations of mass morale. The old-time view of organization is now reversed. Hence the democratic outlines of association in the light of democratic ideals now constitute the soundest basis for organization.

Historically all organization has suffered from the confusion of machinery with the person of a king or other ruler or from the arbitrary and greedy conduct of operators of private organizations. Misbehavior has aroused the antagonism of those upon whom fell the impact of government, public or private. They have resented this and resisted it for long periods of time. Even though the ruler declared that he was a servant of the state, he was not trusted to carry out his own personal interpretation of what was the common good. The older concepts of the superhuman sovereign, of personal organization, of class organization, of arbitrary authority as the basis of government have now, however, largely disappeared. Japan, it is true, still maintains the fiction of a divinely authorized ruler, but even Hitler

1. Merriam, *The New Democracy and the New Despotism* (1939); *What Is Democracy* (1941); *On the Agenda of Democracy* (1941).

does not claim supernatural selection. He rests his claims upon his alleged popular aims, although disclaiming responsibility to his people.

### *Obstacles*

THERE still remain, however, elements of opposition to effective organization in democratic societies. Some forms of this, however sincere, tend to block the application of democratic principles in organizational form in a modern world. It is important at this point to note what some of these obstacles are.

1. One of the traditional difficulties with effective organization in democracy has been the mistaken theory that democracy can exist only in a very small community: in a "face-to-face community," as the sociologists say. On this the Greeks were wrecked. The organization must be a visible organization, it was said by Aristotle. Only in a small local group gathering together on some Swiss hillside can there be a genuine democratic society, some have maintained. The old-time Grecian city-state, the Swiss canton, the medieval cities were held by many sincere patriots to be the only areas able to operate a democratic system. The prevalence of this idea made it extremely difficult to bring about the organization of the American nation through the adoption of the Federal Constitution. The writers of the *Federalist* in discussing the Constitution were obliged to meet vigorous opposition of this type. This they did by calling attention to the fact that our system of representation made possible a wider territorial foundation, that there was a broader range of choice of officials in a larger group and a larger variety of interests to be

combined or balanced. In our day the immense territorial area of the United States and the wide range of the British Commonwealth of Nations have shown the possibility of democratic organization over a very broad area.

The adequate organization of self-government remains a problem which we have not yet solved, but the proper needs of localism are not a sound reason for opposition to large-scale democratic society. In fact, excessive or wrong emphasis on localism may defeat the very purpose of democracy and lead to its destruction through the lack of necessary central unity.

Centralization and decentralization of authority—their appropriate balance—is a perennial problem, not only for a democracy but for government in general and for other associations, industrial and cultural. In view of modern transportation and communication, there is no reason why the democratic unit may not be as large or as small in area as is necessary for the maintenance of democratic society at any given time. The whole United States may be as democratic as Rhode Island or New York or some small town in Iowa. There may be an oligarchy in a hundred men as well as in a community of a hundred thousand or a hundred million. The petty lord or lordlet or local boss may be as irritating and undesirable as the greater lord or as the greater boss. It is not the size of the democratic society that determines its democracy but the character and quality of the organization of the consent of the governed.

2. In democratic societies there are found persons who sound the alarm in opposition to any form of organization which vests broad powers in any official or

official group, no matter what the purpose. They fear power as they fear disease, and centralized power as they might fear death. This doctrine is partly a survival of the days when power was personal power, arbitrary power, irresponsible authority, uncontrollable except by resistance or revolution, and partly the false plea of modern privilege. In the old days more power in government meant more power to the king or his royal agents. This surviving doctrine often stands in the way of democratic organization of a beneficial type. In a highly organized modern society with mass concentrations of interests in large groups there are occasions when government must have power to deal with any or all of them. There are many times when the lack of power in government does not promote the common good but entrenches special privilege and vested wrong. In the development of various forms of social legislation, for example, it is clear that there are at times private interests contrary to the common good and that these interests can be restrained effectively only by such an organization of democratic authority as can bear down selfish opposition. The battles for railway and utility regulation, for monopoly control, for minimum wages, for progressive income taxes—these among many others illustrate the necessity of a government with adequate authority to carry on the functions that are necessary, if the common good is to be protected. Power may be abused, but if we project this as a general principle of action it leads to no other system than that of anarchy, which is also corrupting. An individual who will trust nobody but himself comes to an inevitably sad end, since no one will trust him. A community which will not trust

someone with power, when power is needed, could neither have a police force, because they could not trust the police, nor an army because they could not trust the military.

The truth is that adequately equipped government in war and peace is not necessarily hostile to liberty, but quite the contrary. Weak government may be hostile to human liberty by failing to protect the many against the few, or vice versa. Thus in our own land states' rights were used as a cloak for slavery and later on as a cloak for various predatory interests. At various times certain railroads, public utilities, mining interests, lumber interests, cattle barons, rogues in local government covered their wolfish tendencies in sheep's clothing and clamored for weak government, when they really meant to protect their own private concentrations of economic power. "Not everyone who crieth 'Lord, Lord' shall enter into the Kingdom" it is written; and in democratic society not everyone who demands "weak government" is really concerned about the genuine democratic process and democratic goals.

Much-needed technical organization has been blocked and bedeviled in the name of democracy. Thus the merit and career system in civil service was pushed around by spoilsmen for many years because of its alleged undemocratic features. The city manager system is often denounced as undemocratic—as dictatorship. Efforts to abolish even an elective clerk of the probate court or a treasurer or comptroller meet with the cry "undemocratic." The necessary strengthening of the powers of the governor or the mayor will have to run the gauntlet of sometimes sincere and sometimes selfish critics who

see only or profess to see only the rise of undemocratic devices. The recent reorganization of the Federal Government aroused even such writers as Dorothy Thompson to urge the ringing of the church bells against it.

3. A more subtle and dangerous form of opposition to effective democratic organization is found in the bland assumption that "of course" democratic organization must be inefficient. "Of course," "naturally," "to be sure," "everybody knows," "you must concede" that democracy cannot be strongly and effectively organized—these are the fatal assumptions of many sincere democrats. These ideas are also the propaganda of those hating democracy. The definition of democracy is mediocrity and incompetence, it has been said. Efficiency is inherently antagonistic to human liberty, it has been written. I need not remind you of the more recent and more violent challenges hurled by Mussolini when he was Il Duce and Hitler in his palmy and balmy days. As an observer, a student, and to some extent a practitioner in the democratic world, it is my conclusion that these assumptions and assertions are fundamentally false—lies that have become legends. On the contrary, it may be maintained that a democracy in its full development, as compared with any other form in its full development, is the most efficient form of organization for the promotion of personal development and of the common good. This is as true of crisis moments as of more normal and peaceful times.

That democracy cannot prepare for war is an assertion by now so fully discredited as to require no discussion here. Democracies did not wish to prepare for war, but that they cannot equip themselves for military purposes

when they deem it necessary is no longer seriously maintained. We are fond of criticizing what we are doing and that is proper enough, but in our nonpolitical or nonpartisan moments we are vastly proud of our immense achievements.

That there is much incompetence, ignorance, stupidity, inefficiency, and corruption in democratic society may readily be conceded. For my part I have pointed out more of this than most people. I battled both the Lords of the Levee and the Higher-Ups like Insull in my day. But there are also ignorance, stupidity, corruption, and broad areas of swamp land in every other form of government whether of the many or of the few—in monarchy, in aristocracy, in oligarchy, in despotism—to be more specific, in modern Italy and in modern Germany. Those who criticize democracy only, and there is much to criticize, must close their eyes to most of human history most of the time, when democracy did not exist. We were told that the railroad trains ran on time in Italy under Fascism but not under democracy. We were told that we needed a strong man like Mussolini to lead us, that we must train up our little boys to fight like Fascists. Have I not heard these arguments somewhere at some time, or are these only echoes? We were told, were we not, that a democratic society could not develop a fighting spirit, *élan*, morale, but that typically we must collapse like the French Republic? But the French soldiers seem to be fighting again and the Italians seem to have lost the magnificent morale boasted by the proponents of Fascism as the final guiding principle of human action. In the last war I saw the Italians in Italy fighting better under democracy than under

Fascism later. The social legislation of democratic states during the last half century has been conspicuous for its careful development and for its administration. Those who deny do not know, or will not look.

It is alleged or believed that in some subtle way organization and liberty are mutually antagonistic and exclusive. But organization may be the servant of liberty. Democracy works best among free people who realize what is being done. All modern experience and observation, whether that of practitioners or technicians or scientists, reënforce the truth that democratic consent is the most vital factor in obtaining optimum operational results. Free men produce more than slaves. Labor participating with management produces more than unorganized labor. The techniques of modern industry are not those of command but of coöperation, coördination—organization in the highest sense of the term. A worker in a factory is not free because he has no rules or regulations to direct him; these rules and regulations may save his life or limb. They promote his safety, comfort, and his wages. Sound management is a better incentive than a policeman with a gun or a soldier with a bayonet or a barking boss of the old type.

In our day men are more familiar with large-scale organization than in any other period of the world's history. Men in great masses see what organization means in armies, in factories, in government. They know the strong and the weak points of organization. They know what good organization is and what it does. They know what weak organization is and what it does not do. They are no longer frightened by organizational machinery with which they are familiar and with whose

operations they are in touch and accord. They are no more afraid of efficient organization in government or in democracy than they are of efficient organization in a factory, a union, a farm, a church, an army, or industry. The hobgoblins of organization are losing their power in communities where organization serves the people.

### *Elements of Progress*

It is important to direct attention to some of the outstanding factors in the democratization of organization and management. At one time democracy may have been or appeared to be utopian, but in our time it is the most practical and effective type of organization. This is amply shown by an examination of the following new considerations now favorable to democratic organization.

1. *Administrative management on a democratic basis.* For many generations the administrative service was the playground of aristocratic groups alike on the Continent and in England. In our time administration is a democratic service open to all and filled from the mass. The effect of this democratic basis of administration is of far-reaching consequence. It means that in the long run the problems of public administration are not the problems of an aristocracy but the problems of the many. In a career service democratically based there is a constant interchange of experiences and attitudes among industry, government, academic institutions, and "the folks at home." Civil servants come, not from a class, but from the mass.

2. *The rise of democratic planning.* Planning agencies range from city planning boards to county planning agencies, to state planning boards, to regional planning

agencies, to conservation and other types of planning districts, on to national planning. Planning involves an over-all view of the common good, whether of city or of state or of nation, and it implies general directives developed in the interest of the given community—large or small. Planning properly considered is not regimentation but exactly the opposite; namely, the release of human faculties. Planning rests primarily not on violence and intimidation but on intelligence, inventiveness, and coöperation. In planning, the fraternal spirit of democracy and the emphasis on freedom of inquiry, self-criticism, discussion, and encouragement of invention are of the very greatest significance.

The whole planning process throws a clearer light upon many broad lines of community policy, whether we look at the city plan of New York, the state of Massachusetts, the T.V.A., or national planning of resources. Policy-determining bodies, whether electors, or legislators, or executives, pass upon these objectives and make their decisions upon large outlines of action. Planning does not in any manner diminish the effectiveness of the consent of the governed but on the contrary sharpens and makes effective mass judgment upon the essentials of the common welfare.

3. *The growth of democratic education.* Many years ago Thomas Jefferson perceived that the foundation of democracy was education. The public land policy of the United States was made favorable to this development, and advance toward genuinely popular education has been an unbroken trend. It is difficult to realize what a revolution has come in moving education from an aristocratic to a democratic basis. It is true that this

policy has never been completely carried out. It may also be conceded that this education has not always been of the most desirable type, but nevertheless it has contributed enormously to democratic emphasis on the dignity of mankind and to the sophistication of the electorate. Popular education has not been of the type to obstruct mass thinking or mass policies but has contributed materially to raising the level of general discussion. Along with freedom of speech, freedom of the press, and freedom of association, democratic education has served as a mighty instrument in the democratic process.

4. *The growth of democratic manners and customs.* Democratic transportation, democratic movies, democratic parks, playgrounds, and bathing beaches, democracy in dress, democratic recreation and culture—all these lie at the basis of any enduring democratic society. They constitute a bulwark against class domination and the imposition of class attitudes upon the mass. When taken in combination with generally declared democratic objectives and with democratic institutions and procedures, they possess an immense influence over our whole way of life.<sup>2</sup>

Faith in the dignity and possibilities of all men, the power to choose the determiners of policy, the Roosevelts and the Churchills, the Congresses and the Commons—the power to review their conduct and select other representatives, the right to review, initiate, and determine policies and administration through free association, free press, and free discussion—these are

2. *Common Sense*, XI (1942), 152–153.

valid bases of democratic control. But that the tasks of government include the full development of national resources, full employment, a fair share of the fruits of an advancing income is now coming to be accepted in democracies.

### *Democracy and World Problems*

FINALLY, it may be said that of all the types of political society democracy is most adaptable to new forms of life. In a period of rapid change such as we are now passing through and which we shall confront in even greater measure in the next generation, adaptability is a characteristic of great importance for survival and development of political communities. If we look around at the great emerging problems of our day, we see that constructive power to weave old values into the web of new values is the condition of survival and of advance. Democracy is on the whole favorable to the emerging shape of things to come.

What are the greatest of these problems? They are:

1. The organization of a jural order of the world.
2. The organization of production, consumption, distribution in new terms of technology, labor, management, industry, agriculture.
3. The expansion of the human personality in the finest forms.

I propose to examine these problems in their relation to democracy.

1. The organization of a jural order of the world. Democracy is the only political system that has from the beginning preached and sought for the recognition of the universal dignity of man. It is easy to point out many

glaring and shameful exceptions to this rule in various lands—including our own—and in various times under democratic authority. Nevertheless the democratic goal has always been universal recognition of liberty, equality, and fraternity for all members of the human race. The acceptance of this principle makes it easier to organize on a world basis than in any system which asserts the basic inequality of man, the doctrine of master races, or the acceptance of the arbitrary rule of caste or class reaching down toward practical slavery. These democratic doctrines are also the doctrines of Christianity and Western civilization as well as of many Oriental peoples, such as the Chinese. In democratic philosophy there are no special privileges of individuals, of nations, or of races to stand in the way of a brotherhood of men organizing upon the universal basis. When democracies plan for a jural order of the world, they are in the line of the logic of their system.

2. The democratic system of political society is well adapted to such changing forms of social and economic organization as are basic to the welfare of mankind. It may be and has been alleged that democracy is inherently incapable of planning and organizing a production system adequate to the new wants of mankind. Observation shows the falsity of this conclusion. In democratic societies the highest technical productivity has been developed during a long period of time, and capacity for large-scale planning whether in peace or in war has been amply demonstrated. Here again we find that the fundamental principle of democratic association based on justice, liberty, and equality is inherently favorable to optimum production. A dynamic economy, with in-

creasing productivity, and with social justice in its train is the definition of the democratic program.

Public and private associations and mixed types of public and private government may all function in co-operation in a democratic state. All must serve the common good and their rivalries are within the circle of a general system of control by and through consent. Our system is not incapable of dealing with the challenges of capitalism, collectivism, labor-management problems. The democratic system with its flexibility, with its political and industrial freedom is preëminently adapted to conciliation and adjustment on a basis of high productivity. There must be adequate unity and general guiding lines of policy, but beyond that the solution is not that of the sword and of slavery but of coöperation and consent. The root error of modern despotism, called Fascism or Nazism, is the effort to solve the complicated industrial social problems of our time by unification through command and violence. This is the counsel of impatience, not of mature wisdom.

The social programs of modern democracy—social gains—do not constitute the death of democracy as some would have us believe, but on the contrary are its very life and strength. Living and working conditions worthy of the dignity of man, social security in its varying forms, freedom from want and fear; these are the basic conditions under which democratic institutions best develop. Minimum standards of living, including food, shelter, health, education, and cultural opportunities—in short, fair participation in the gains of advancing civilization—are in the making.

Step by step a democratic program is developing, and

will continue to develop, over the opposition of varying special interest groups which for a hundred years have sought to block it and delay it; and over the impatience of those, right or left, who sought to destroy or suspend it. It is amusing to look back over the now incredible arguments earlier advanced against popular education, against fair hours of labor, against the protection even of women and children in industry, or in favor of a dole in a doghouse. Religion, history, "survival of the fittest" were all invoked from time to time to denounce these inevitable social changes—even in democratic or partly democratic states.

But the time comes when the human personality will find expression in nobler forms of living over the opposition of various or selfish views. Democracy is the formula for social gains and cannot abandon these gains without abolishing itself. Democracy means social gains in practical application. The social gains of the world are not a matter of indifference to the democracy of a particular nation and certainly not to the united peoples of the world. World organization and progress are not designed primarily for any special groups—useful as they may be—but for the benefit of men who look to a fairer share in the distribution of the world's goods and values.

3. Democracy can organize most effectively for the expansion of the human personality in its higher and finer forms. In a period of phenomenal change such as that through which we pass, many adjustments must be made, many new rules and regulations, new understandings and expectancies must develop. It may be argued that in this process of readjustment bureaucracy

and regimentation may crush out the personal life, hope, and realms of action. In a democracy, however, organization is not an end but a means, not a vested right of the few but the tool of the many. Its vital principle is the dignity of all men. The organizers are not masters but servants, and not only servants in theory but responsible to the governed through established and recognized forms of consent. The consent of the governed is the vitalizing force running through democratic organization from top to bottom. When circulation stops, the democratic system ceases to exist.

Whether we deal then with the organization of a world order or the organization of an economic system or the organization of a plan for the unfolding of the human personality, it is evident that the democratic mechanism provides the optimum conditions. Democracy is the best form of political association yet devised by the brain of man for the reconciliation and realization of human personality in the framework of the common good. Order, justice, liberty, equality, security, fraternity are in its train.

But no form of political association is a law unto itself, for other human values also are demanding expression. Our human problems are not merely political or merely economic or merely technological, important though all these are. All these forces are instruments of the higher and finer values of life in which they live and grow and have their being. Of democracy as of these other values we may say, "We count not ourselves to have attained, but we strive to follow after." If I am charged with being an idealist, I admit it; if I am charged with being an optimist, it is readily conceded. But American democ-

racy has been from the beginning and is now optimistic and idealistic, and today in its most dreadful and searching trial faces the future with unconquerable faith in days of justice and liberty ahead. May we so order our ways that posterity may say of us, they kept the faith, they fought the fight for human freedom.

In an era of incredibly rapid change the world is groping toward more adequate ways of organizing the new forces let loose upon us—for our good if we can utilize them, for our harm if we fail to use these wild dynamic elements our intelligence has released. Hitherto undreamed-of speed of communication and transportation, unimagined richness of productivity, unparalleled mass activities alike in government and industry, new knowledge of personal and social processes—these are developments still racing forward with unabating speed, alongside a rising sense of human dignity and justice.

We struggle to follow the new threads of relationships arising in these new situations; to comprehend these new patterns; to harness new forces together in new forms of configuration; to reconcile them with the older types of relationships and values. All these are major problems of the organizers of our day—taxing their ingenuity, their imagination, their constructive ability as never before in the history of the race. Deeper down than personal or national or racial or class or regional struggles for power and position, these new lines reach to the depths and up to the heights of the new civilization which is just coming into the view of men.

In enlightened and emerging systems gone is the absolute power of individuals, of classes, or of groups of any and all sorts. Gone is the acceptance by the greater

body of mankind of arbitrary authority for authority's sake. Numbered are the hours when violence holds sway, except as a means of preventing brutality and greater violence. Gone and going are all the old-time absolutisms in government and social organization. Gone are "divine rights"; gone is "might makes right"; gone is "human differences make wrong right"; gone is "gold makes right."

Gone is the silly cry that emotions, not reason, must govern the world, that there is and can be no rational order of the world, that there is only the status quo for those who happen to be dressed in a little brief authority. The emerging world will not make a mockery of the dignity of man or his advance to higher levels of life. It will not reject the general participation of men in the settlement of their common affairs, in the organization of consent as a basis of the common good and the realization of the human personality.

New and shadowy social forces and shapes are rising like spirits from the boiling seas of new experience, new discovery, new invention. I wish I could describe and classify them, but they elude me even as I am about to hold them in some form of prefiguration. Yet I see that they are in the making—on the way—in a new day, as different from the old as the sixth day of creation from the fifth. I am not unmindful of the uses of the Book of Lamentations, but the Book of Revelation has value for the framers of tomorrow—not as blueprints to read, but as illumination of the spirit of the future.















