

LEADER OF THE MASSES, ASSEMBLY OF THE PEOPLE

WHEN WE believe that a specified political group can make valid political decisions by taking a poll among its members, we are implicitly assuming that with respect to political decisions all the individuals belonging to the group are qualitatively identical, and thus equal; differing only quantitatively, only as one numerical unit from another. Without this assumption, in fact, we could not add up the vote. You cannot add two oranges plus three apples, two monkeys plus three horses, or two carpenters plus three merchants. Only like units can be added together: two fruits (unspecified) plus three fruits; two animals plus three animals; and two voters (qualities unspecified) plus three (also qualitatively unspecified) voters. In 18th-century doctrine this is the assumption referred to by the term, "political equality," and the sentence, "All men are created [politically] equal."

Considered philosophically, the assumption of qualitative political identity is very radical indeed. When it is carried out all the way to its logical limit, as in the democratist drive toward an unlimited franchise, it implies that no qualitative differences¹ whatever among human beings—not knowledge, sex, education, wealth, experience,

1. Except, perhaps, the negative criteria of undue youth, obvious insanity and major criminal record; though these too, as we have noted, are not easy to defend objectively on democratist grounds. It may be mentioned in passing that this democratist assumption of political equality is leading to some really weird election procedures in the new Afro-Asian democracies.

religion, race, talents, color, character, reputation, intelligence—have any relevant bearing on their ability and right to make fundamental political choices. What this means, logically, is that *homo politicus*, "political man," who is the ultimate actor in the political process as conceived by democratist doctrine, is the Common Denominator of all the actual, living, real individuals belonging to the group. Let us call him "political CD."

Political CD is, of course, a statistic, not a real human being. Real human beings are complex individuals, defined in their existential concreteness by the host of specific qualities, experiences, hopes, occupations, possessions, beliefs and what not, that make each human being an individual, qualitatively different in some and often considerable degree from any and from every other human being.

No political process can, true enough, take into account the specific individuality of every human being. (To believe so is the utopian illusion of anarchism.) But the distortion brought about by the rule of political equality is not too gross when the group is moderate in size and when most individuals within it are fairly homogeneous with respect to those attributes that have most relevance to political decisions: religious faith, for example, morality, general culture, deep taboos, beliefs about what is important and desirable. A true community then exists, and CD still remains as a qualitative filling the common fund of interests, beliefs, outlook and ideals. In 1800 the enfranchised voters of the United States, like those of England, constituted communities of this kind.

When the group expands into scores and even hundreds of millions of individuals, and when at the same time the organic cultural homogeneity breaks down into an amalgam of eclectic heterogeneity fused by mechanical regimentation, then political CD evolves into an ever emptier statistical abstraction. He wants security, material comfort, sense gratification and easy amusement; but beyond that, CD is and must be a cipher: neither Catholic nor Protestant nor Jew nor pagan nor atheist; neither man nor woman; neither black nor white nor yellow; neither rich nor poor, saint or libertine.

learned or simple, tax payer or pauper, farmer or artisan or banker, teacher or taught, patriot or subverter.

Political CD has become, in short, *the mass-man*; the people have become "the masses," or more precisely, "the mass." *Democratism-Caesarism-the masses*: all three are elements of the same political equation.

The advance of the masses to the front of the 20th-century political stage has been studied by many historians and sociologists. It was earliest remarked and particularly stressed by those writers holding some sort of cyclical or "morphological" theory of history.² In their description of the nature, role and import of the masses, there is general agreement among analysts otherwise so diverse as Oswald Spengler, Georges Sorel, Vilfredo Pareto, Max Weber, Arnold Toynbee, Pitirim Sorokin, José Ortega y Gasset.

The multitude has suddenly become visible. . . . Before, if it existed, it passed unnoticed, occupying the background of the social stage: now it has advanced to the footlights. . . .

In those groups which are characterized by not being multitude and mass, the effective coincidence of their members is based on some desire, idea, or ideal, which of itself excludes the great number. . . . The concept of the multitude is quantitative and visual. . . . The mass is the assemblage of persons not specially qualified. By masses, then, is not to be understood, solely or mainly, "the working masses." The mass is the average man. In this way what was mere quantity—the multitude—is converted into a qualitative determination: it becomes the common social quality, man as undifferentiated from other men, but as repeating himself in a generic type.³

2. Probably because the *democratism-Caesarism-the masses* equation has been manifested at other periods of history, notably and most familiarly in the Roman Empire, which is the theoretical "model" for most Western historians.

3. José Ortega y Gasset, *op. cit.*, pp. 13-14.

The masses, anonymous and undifferentiated by definition, are the natural electorate for the vast binary plebiscites into which the prevailing democratist ideology of our age tends to transform the democratic process. Mass-man can make no detailed qualitative distinctions, but like the transistors of a huge electronic computer, he can register the simple 0 or 1, *Yes* or *No*. And for the masses, a representative assembly whose members meet to discuss, inquire, debate, compromise and bargain, is an incompatible, even impossible, political device. The political function of an assembly issuing from the masses can only be—like Hitler's Reichstag or the Supreme Soviet—to affirm with an unmixed voice the general mass will. The quintessential political expression of the masses must be a single symbolic individual, the charismatic leader linked by direct magic to the mass: Caesar, fronting for the bureaucrats of the managerial state, is the end phase of the process, though as the end nears, the masses will seek to transmute even a haberdasher into a mask of Caesar.

When we take the entirety of a large nation or empire—or even, in projection, the world—as our election district, then the election tends to become a plebiscite, and the electorate reduced to the political Common Denominator, to "the masses." But of course it is not the arithmetic of the electoral process that creates the masses. It is, on the whole, the other way around. Through the operation of many historical causes, ranging from the unintended effects of industrialization to the deliberate tactics of ideologues and demagogues, the masses are created, and come forward. The undivided, maximum-scale plebiscite is then found to be the most appropriate form for the masses' political performance.

Real human beings in their existential setting are not statistical abstractions, not political Common Denominators. They make a living

by this or that kind of work, occupy house or palace or apartment or shanty, dwell in mountain or plain or city, belong to this Church or that, like change or stability, seek glory or wealth or peace or pleasure. Each in his specificity is different from every other, but with respect to the problems, ends and interests that are most frequently at stake in the political process, they tend to fall into rough groupings which, though variable and overlapping, form traceable patterns. As Madison summarized during the debate over the democratic formula that took place June 6 at the Philadelphia Convention: "All civilized societies would be divided into different sects, facts, and interests, as they happened to consist of rich and poor, debtors and creditors, the landed, the manufacturing, the commercial interests, the inhabitants of this district or that district, the followers of this political leader or that political leader, the disciples of this religious sect or that religious sect."

Let us call the citizens of a nation as thus defined in the living context of their major activities and attitudes, "the people," thus distinguishing "the people" from "the masses," "citizen" from "mass-man," who cannot be other than a "subject." It is possible that the same individuals, comprising the population of a given nation, should function in one political perspective as "the masses," and in another as "the people." However, in a large, cosmopolitan and industrial nation, regimented by economic and political mechanics, and imbued with egalitarian and democratist ideology, their political reality as "the masses" tends to become dominant over, or to supplant altogether, their reality as "the people."

The masses can be thought of as a homogeneous, uniform substance like a loosely set gelatin without inner structure, that sways and bends under pressure, and assumes the shape dictated by the external system of forces playing on it. "The people" are heterogeneous, complex in geometry, intricately articulated, formed and yet dynamic, adapting to external forces in part through an inner determination: in short, possessing the varied unity of a living organism, not the merely material sameness of "the masses."

If we reject democratist ideology, it becomes evident that the people, in contrast to the masses, cannot be represented by or "embodied" in a single leader. Granted the doctrine of Divine Right or some similar monarchic assumption, a single leader might *rule* the people, but then it would be not as their but as God's representative. Under a republican formula a single person might be named—by a general popular vote, direct or indirect—as the ceremonial "head of state," symbolizing the nation's continuity and tradition; and this is done in some nations. But a head of state is not, like the head of government, an active political magistrate.

The people cannot be represented by or embodied in a single leader precisely because of the people's diversity. Their representation, if it is to be more than a masquerade, must have some sort of correspondence to their diversity. The political will of the people must therefore be projected through a multiplicity of representatives and of representative institutions, both formal and informal. Only in this way can the irreducible variety of the people's interests, activities and aspirations find political expression. The undifferentiated masses, by a plebiscite, give a "mandate" to the leader to act as their unrestricted proxy. The minorities—just by being minorities—have lost their political rights. For the duration of the mandate, minorities do not exist politically. The people, in contrast, by many kinds of election for many kinds of officer and assembly, impose on their magistrates the duty of representing the political interests of intertangled, concurrent majorities that are also, in their relation to the whole, minorities.

Judged by the intentions of the Fathers, the most surprising development of the American political system has been the emergence of the Presidency as the primary democratist institution. The Fathers expected the democratist impulse (which they called "democratic")

to operate through Congress, in particular through the House of Representatives; and so, of course, it has in part done. Most of the Fathers feared "the turbulence and follies" of the democratic "mob," and felt "that some check therefore was to be sought for, against this tendency of our government."⁴ "The people immediately," in Roger Sherman's opinion, "should have as little to do as may be about the government." The Presidency, like the Senate and the courts, would serve not to express but to check and restrain the democratist general will that would find some outlet in the House. The Electoral College, functioning as a senior council of responsible citizens—of the rich, well-born and able—would protect the choice of President from the harsh direct clamor of demos.

A number of the Fathers feared and some predicted that the President would become a despot (or "monarch," as they put it), but it did not occur to them that he might develop into a *democratic* despot. He might, they thought, usurp despotic power as a military dictator (under his grant as Commander in Chief), by manipulating appointments, by securing the succession to his descendants, or in some other way violating the democratic principle: not by fulfilling it.

Today nearly every student would agree with Professor Rossiter's Gloss:

Henry Jones Ford, in his perceptive *Rise and Growth of American Politics* (1898), was the first to call attention pointedly to the one giant force that has done most to elevate the Presidency to power and glory: the rise of American democracy. Most men who feared the proposed Presidency in 1787 were prisoners of the inherited Whig assumption that legislative power was essentially popular and executive power essentially monarchical in nature. The notion that a democratic President might be pitted against an oligarchical legislature occurred to few at the time. . . . Since the days of Andrew Jackson the

4. Edmund Randolph, *Debates*, May 31.

Presidency has been generally recognized as a highly democratic office. It depends directly on the people for much of its power and prestige. . . . American democracy finds in the President its single most useful instrument. Small wonder, then, that he stands as high as he does in the mythology and expectations of the American people.⁵

Actually it was not Henry Jones Ford but the Presidents themselves who were the first to call attention to the democratic—and democratist—potential of the presidential office. The whole succeeding development is foreshadowed in the presidential messages of Andrew Jackson. "We are *one people*," he proclaimed with his own italics in 1832, "in the choice of President and Vice-President." Calling in his first annual message to Congress for the replacement of the Electoral College by a direct presidential plebiscite, Jackson stated the classic democratist case against intermediary institutions:

To the people belongs the right of electing their Chief Magistrate; it was never designed that their choice should in any case be defeated, either by the intervention of electoral colleges or by the agency confided, under certain contingencies, to the House of Representatives. Experience proves that in proportion as agents to execute the will of the people are multiplied there is danger of their wishes being frustrated. Some may be unfaithful; all are liable to err. So far, therefore, as the people can with convenience speak, it is safer for them to express their own will. . . .

In this as in all other matters of public concern policy requires that as few impediments as possible should exist to the free operation of the public will. . . .

5. Clinton Rossiter, *op. cit.*, pp. 66-67. We may translate the above passage into our terminology by reading "democratism" for "democracy," and "masses" for "people."

I would therefore recommend such an amendment of the Constitution as may remove all intermediary agency in the election of the President and Vice-President.

The circumstances of his time as well as his own States' Rights predilections prevented Jackson from drawing out the practical consequences of his theory of the Presidency. A brief comment of Professor Corwin's shows how close this theory went toward three of the key ideas of democratism and potential Caesarism: the bypassing of the intermediary institutions; the interpretation of the executive as the expression or embodiment (rather than as the mere representative) of the citizens; the insistence that the chief executive, and only he, expresses the true general will divorced from local or other special interests. "Jackson became the first President in our history to appeal to the people over the heads of their legislative representatives. . . . His claim to represent the American people as a whole went to the extent of claiming to embody them."⁶

The doctrine that the President alone embodies or in some unspecified manner represents "the whole people" became a favorite. It may be found repeated by so far from personally Caesarean a President as James Polk (in his Fourth Annual Message): "The President represents in the executive department the whole people of the United States, as each member of the legislative department represents portions of them." The naive and personally weak McKinley discovered, after the Spanish-American War had begun: "I am now the President of the whole people."

Woodrow Wilson, in the 1908 Columbia lectures⁷ that abandoned his earlier belief that Congress had won permanent ascendancy in the American system, was rhapsodic on the President's potential:

6. Edward S. Corwin, *The President: Office and Powers* (New York: New York University Press, 1956), p. 23.

7. Published as *Constitutional Government in the United States*.

The President is also the political leader of the nation, or has it in his choice to be. The nation as a whole has chosen him, and is conscious that it has no other political spokesman. His is the only national voice in affairs. Let him once win the admiration and confidence of the country, and no other single force can withstand him, no combination of forces will easily overpower him. . . . He is the representative of no constituency, but of the whole people. When he speaks in his true character, he speaks for no special interest. If he rightly interpret the national thought and boldly insist upon it, he is irresistible. . . . [The country's] instinct is for unified action, and it craves a single leader. . . . A President whom it can trust can not only lead it but form it to his views.

And Wilson stated also, from his ideological perspective, the significant contrast: "There is no one in Congress to speak for the nation. Congress is a conglomeration of inharmonious elements; a collection of men representing each his neighborhood, each his local interest."

Actually, Wilson had come to this doctrine through Grover Cleveland, who had given it careful formulation in his essays on *Presidential Problems*.⁸ Prior to publication, Cleveland had delivered two of these as lectures at Princeton, where Wilson, as the university's President, presumably heard and discussed them.

In the scheme of our national Government the Presidency is preeminently the people's office. Of course, all offices created by the Constitution, and all governmental agencies existing under its sanction, must be recognized, in a sense, as the offices and agencies of the people—considered either as an aggregation constituting the national body politic, or some of its

8. Grover Cleveland, *Presidential Problems* (New York: The Century Company, 1904).

divisions. When, however, I now speak of the Presidency as preeminently the people's office, I mean that it is especially the office related to the people as individuals, in no general, local or other combination, but standing on the firm footing of manhood and American citizenship.⁹

A study of such passages will show how closely, in developing a "theory of the Presidency," they follow the lines of democratist ideology. Democracy is interpreted as the unmixing sovereignty of the general will. The general will operates through direct, nation-wide elections, and is embodied in the plebiscitary choice of the leader whom "it craves." It is only the President, the plebiscitary leader, who embodies the true general will, who represents "the whole of the people," who "speaks for no special interest." The President is "the Voice of the People," through which is heard "clearly and unmistakably . . . the will of the people—the General Will, I suppose we could call it,"¹⁰ writes Professor Rossiter, revealing much in his use of capitals.

The President's expressive function is performed the more perfectly, the more immediate is his relation to "the will of the people." Intermediary institutions only block and distort the expression of the sovereign general will: "as few impediments as possible should exist to the free operation of the public will." When the President, boldly shortcircuiting the intermediary institutions, maintains a direct contact with "the whole people," "he is irresistible." And, finally, we discover that "the whole people" is understood in terms that define what we have called "the masses": "no special interest," "no general, local or other combination," "standing on the firm [but qualitatively empty] footing of manhood and American citizenship"—that is, not the people in their existential reality, but the abstracted political Common Denominator.

9. *Ibid.*, "The Independence of the Executive," pp. 10-11.

10. Clinton Rossiter, *op. cit.*, p. 22.

Thus, during the century preceding 1933 there was a doctrinal preparation not only for the shift to executive-bureaucratic supremacy that set in with Franklin Roosevelt, but for the popular despotism (Caesarism) into which this shift, if the prevailing tendency continues, must inevitably lead. The ideological apology for the breakdown of constitutional government, the fall of Congress and the rise of the democratic despot is plainly there. If the general will is sovereign, and the President its sole authentic embodiment, then the intermediary institutions, and Congress as the chief of the intermediary institutions, are distorting impediments to democracy. At best, they interfere with the communication between the people and their leader. If they contradict the President, then they are necessarily contradicting the general will, and their actions are anti-democratic. The general will alone legitimizes; what is in accord with the general will is lawful. The President is the voice of the general will; therefore the law is what he proclaims, the law is what he says it is. Harry Truman, drawing, as the logic of despotism always does, on the cry of "emergency" and the rule of *Salus populi suprema lex*, put the essential meaning into his flat prose: "The President . . . represents the interest of all the people. . . . When Congress fails to act or is unable to act in a crisis, the President . . . must use his powers to safeguard the nation."¹¹

The democratist ideology is a myth, of course, not a scientific hypothesis. No one who puts it forward ever specifies how one man can represent, embody or express a vast multitude, or even what it would mean for him to do so. No one explains what has happened to the opposing minority—often not much smaller than the majority—when the one man speaks so totally for "the whole people." No one has ever told where any actual individuals may be found who are defined solely by "manhood and American citizenship." Indeed, the

11. Harry S. Truman, *Memoirs*, Vol. 2 (New York: Doubleday, 1956), p. 478. In the passage from which these phrases are taken, Mr. Truman is justifying the steel seizure.

rhetoric of image and metaphor, into which democratist phraseology almost automatically slips, shows plainly that we are dealing with myth.

The full democratist doctrine was only latent in America during the 19th century and the first years of the 20th. The general condition of the body politic did not yet favor its active development. The community was smaller, and still organized spiritually through the structure of traditional beliefs, values and distinctions. The masses existed only embryonically. The intermediary institutions, including the complicated state governments, were still vigorous. We must understand the early statements of the doctrine not as describing the political reality of those times past, but as prophecy and preparation.

4

The office of President is coming to be the embodiment of the citizens of the nation in their aspect as *the masses*. Congress, supplemented by the lobbies, which we earlier named as the fifth branch of the governmental structure, and by the non-ideological political parties, continues to represent the citizens in their aspect as *the people*. The President is the political resultant of a process approximating a plebiscitary, direct, all-national election. Congress is the second level resultant of hundreds of limited elections. The President is the choice of a single numerical majority; Congress, of a multitude of concurrent majorities.¹²

These parallel propositions are not true without some qualification, but they are roughly accurate in the distinction to which they point. The President is the selection of the non-plebiscitary party machinery as well as of the almost-direct popular vote; and the peo-

12. In some cases, strictly speaking, pluralities rather than majorities. But I will not overburden the analysis with the bewildering problem of pluralities.

ple as well as the masses continue to be felt through the parties. On its side, Congress both expresses and exploits, in some degree, simplistic impulses that well up from the masses. The contrast, that is to say, is not black-and-white; but there remains a marked difference between the grays.

From a formal standpoint, Congress represents the concurrent majorities (or pluralities) of local subdivisions defined according to geographical criteria: the states in the case of Senators and the Representatives-at-large; election districts of the states in the case of most members of the House. However, the principle of division is not in fact merely geographical. The local populations of the states and the congressional districts usually have an internal cohesion in other than geographical ways. They are particularly characterized by race, religion, occupation, ethnic background, degree of literacy, density of population, even language. Some districts are occupied by the people of the desert; others by the people of mountain, plain, woods or seacoast, the old stock or the new. The Congressman from New Mexico is also Congressman of the Mexican-Spanish stock; the member from Boston, of the urban Irish, as the New Yorker of the urban Jews. The gentlemen from Montana, Nevada and Colorado can speak for the mining industry. Through the Cleveland or Pittsburgh or Gary member, Congress hears the voice of the steel mills. The auto workers can send their ambassadors from Detroit or Flint. The tall corn and fat hogs are not forgotten by the Congressmen from Iowa.

Congress is neither a unitary embodiment nor a numerical analogue of the mythical general will. It represents the nation by representing *the people*—in the rough, inexact sense that representation is possible at all—in their active actuality; that is to say, as beings living and thinking and working in terms of certain specific interests, goals, values, ideals and sentiments. Except in an empty formal sense, the political process that goes on in Congress is not a plebiscite even of the congressional membership, not a counting of noses. True enough, a ballot is taken at the end, and a Yes-No count

records a numerical score which announces the decision. But under normal circumstances that count is not in the least like a plebiscitary mandate from the "numerical majority."

Woodrow Wilson felt that Congress demonstrated its low estate in the fact that matters were seldom settled by great speeches and debates from the floor. In Britain, "the whole conduct of the government turns upon what is said in the Commons. . . . The parliamentary debates . . . determine the course of politics in a great empire. The season of a parliamentary debate is a great field day on which Liberals and Conservatives pit their full forces against each other, and people like to watch the issues of the contest. Our congressional debates, on the contrary, have no tithes of this interest, because they have no tithes of such significance and importance."¹³

There have been a fair number of exceptions to this generalization about the unimportance of congressional debates—as Wilson was himself to learn from his sickbed in 1919—but it is true that formal debates have had, as a rule, less importance in Congress than in the British and many other parliaments. Wilson, analyzing Congress through his own perspective as intellectual and verbalist, failed to grasp the way in which Congress conducts its basic business.

When it deals with an important issue, Congress carries out a prolonged, complex process of negotiation: an adjustment and balancing of needs, interests and aims. This process—a task of extraordinary delicacy in its own mode—Congressmen are peculiarly fitted to carry out precisely because they are the representatives of "the interests" of the nation and thus of the people.

In Chapter XIX we considered the scornful criticism that Congress, after dawdling its time away, crowds most of its major enactments into the last few days of a session, and we found that the vote is only the formal conclusion to the lengthy, wide-ranging journey. Congress—when operating in its own style rather than under executive dictation—feels its way slowly through the tangled

13. Woodrow Wilson, *Congressional Government*, pp. 94–101.

political thickets, trying to figure out just what the issues really are, just what is at stake beneath the shadowy words; trying to discover how the relevant interests line up; negotiating compromises here, adjusting differences there; adding this clause to reconcile one group, and dropping that clause to reconcile another. The vote records only the finish of this political safari over untracked and irregular terrain, a trip of which the occasional floor debates mark, but seldom decide, certain stages. And the numerical vote is often deceptive. Even when the vote is nearly even, the decision is, generally speaking, less close than it seems. For party and election purposes, the opposition must put the *Nays* on the record. But in most cases the members of the minority as well as of the majority have left their mark on the measure. The minorities have been granted a kind of veto, through which any provisions that they have found really intolerable have been eliminated.¹⁴ The final bill is, at least to some degree, a joint product of the *Yeas* and *Nays*.

The necessary consequence of taking the sense of the community by the concurrent majority is, as has been explained, to give to each interest or portion of the community a negative on the others. It is this mutual negative among its various conflicting interests which invests each with the power of protecting itself, and places the rights and safety of each where only they can be securely placed, under its own guardianship. Without this there can be no systematic, peaceful, or effective resistance to the natural tendency of each to come into conflict with the others; and without this there can be no constitution. It is this negative power—the power of preventing or arresting the action of the government, be it called by what term it may, veto, interposition, nullification, check, or balance of power—

14. Of course, such an adjustment is impossible when the differences become absolutely irreconcilable, as they did—or were made to do—in the issue of slavery. When that happens, the congressional process, and the American system, break down.

which in fact forms the constitution. They are all but different names for the negative power. In all its forms, and under all its names, it results from the concurrent majority. Without this there can be no negative, and without a negative, no constitution. The assertion is true in reference to all constitutional governments, be their forms what they may. It is, indeed, the negative power which makes the constitution, and the positive which makes the government. The one is the power of acting, and the other the power of preventing or arresting action. The two, combined, make constitutional governments.¹⁵

For the most part Calhoun analyzed his doctrine of the concurrent majority in general terms, without stating exactly how he would apply it to the American situation. His primary immediate concern, of course, was the problem of slavery and the ever widening division between the North and the South. Taking this as the political fulcrum, he proposed the creation of a plural executive, with two co-Presidents, one elected by the North and the other by the South. Thereby he hoped that "the presidential election, instead of dividing the Union into hostile geographical parties—the stronger struggling to enlarge its powers, and the weaker to defend its rights, as is now the case—would become the means of restoring harmony and concord to the country and the government. It would make the Union a union in truth—a bond of mutual affection and brotherhood—and not a mere connection used by the stronger as the instrument of dominion and aggrandizement, and submitted to by the weaker only from the lingering remains of former attachment and the fading hope of being able to restore the government to what it was originally intended to be, a blessing to all."¹⁶

15. John C. Calhoun, *op. cit.*, p. 28. It will be noted that, in somewhat different language, Calhoun here summarizes also the main points of Chapter XXIII.

16. John C. Calhoun, *A Discourse on the Constitution and Government of the United States*, *lib. cit.*, p. 104.

The plan was not altogether fantastic. Sparta and the Roman Republic had, as Calhoun pointed out, plural executives; and Switzerland and Uruguay have them today, the former with notably satisfactory results. But in the circumstances of the mid-19th century, his two-man executive (if it had been at all possible) could only have sealed the division of the country into two nations, with at most a rather precarious alliance between them. You cannot in any case make at one stroke, apart from a revolutionary civic convulsion, so basic a constitutional change as he was proposing. Moreover, although the idea of a plural executive had been seriously considered by the Philadelphia Convention, it seems probable that the solution there adopted was inseparable from the design of the American government. A unique, autonomous chief executive is required, not only to secure vigor and dispatch, as the authors of *The Federalist* stressed, but to provide an adequate symbol of a national unity without which the country's continental domain would have dissolved into politically separated segments.

What Calhoun, obsessed with his single and quite literally insoluble problem, did not sufficiently realize was that the traditional American system itself incorporated in diverse and remarkably effective ways his principle of concurrent majorities. At the beginning and into his own day, it was the states, with their concurrent political jurisdictions, that were the primary organs of one set of parts that in their combination made up a national whole without being dissolved into it. Though by the Civil War, and the cold civil war of the post-1933 epoch, the states have been permanently weakened, they are not yet eliminated as significant political organisms.

Within the structure of the central government, the diffusion of independently based powers permits and in fact demands the operation of the principle of concurrent majorities. In the traditional American system, "[there is no] single or *one power* which excludes the negative and constitutes absolute government. [Like] all constitutional governments, [the traditional American system takes] the sense of the community by its parts—each through its appropriate

organ—and regard[s] the sense of all its parts as the sense of the whole. [It is not in the mode of] absolute governments, [which] concentrate power in one uncontrolled and irresponsible individual or body whose will is regarded as the sense of the community."¹⁷

With the weakening of the states, it was Congress, as the assembly of *the people's* representatives, that became the primary political organ for the concurrent majorities, and thus the major bulwark of the constitutional principle. At the same time, Congress remained, and remains, as the great intermediary institution between the people and a chief executive evolving into the plebiscitary leader of the masses. By this double function, Congress gives operative meaning to the rule of a law that is not identical with the decree of the supreme executive

So great, indeed, is the difference between the [numerical and the concurrent majorities] that liberty is little more than a name under all governments of the absolute form, including that of the numerical majority, and can only have a secure and durable existence under those of the concurrent or constitutional form. . . . The force sufficient to overthrow an oppressive government is usually sufficient to establish one equally or more oppressive in its place. And hence in no governments, except those that rest on the principle of the concurrent or constitutional majority, can the people guard their liberty against power; and hence also, when lost, the great difficulty and uncertainty of regaining it by force.¹⁸

17. Calhoun, *A Disquisition on Government*, *lib. cit.*, p. 29.

18. *Ibid.*, pp. 46-47.