

THE UNITED STATES OF AMERICA: A STUDY IN INTERNATIONAL ORGANIZATION

I. RISE OF THE IDEA OF UNION

A prima descendit origine mundi
Causarum series. (*Lucan, Pharsalia, Book VI.*)

The appreciation of a great and vital want will account for the origin of the idea of a common union. A study of its embodiment reveals the feature of growth. It is so original and peculiar, that it may be termed American. (*Richard Frothingham, The Rise of The Union of the United States, 1872, p. 28.*)

Often, too, an institution may appear to be the result of direct imitation, when in fact it may be the product of a common race instinct, as in the case of the representative system reproducing itself in all the branches of the Teutonic race. . . . The law of historical continuity, or political inheritance, is not inconsistent with the law of historical variation, or political originality. In fact, the greater the accumulations of past experiences, the greater will be the capacity to solve by original methods the problems presented by new experiences. (*William C. Morey, The First State Constitutions, 1893, Annals of the American Academy of Political and Social Science, Vol. II, part I, p. 203.*)

Mr. Gladstone recently pronounced it the most wonderful work ever struck off at a given time by the brain and purpose of man.

John Stuart Mill said, in his essay on De Tocqueville's "Democracy in America," that "the whole edifice was constructed, within the memory of man, upon abstract principles."

If we are to understand these expressions as meaning that the Constitution sprang into being, like Athené from the brain of Zeus, or that it was the work of doctrinaires endeavoring to found an ideal republic, it would be easy to show their falsity. The Constitution "has its roots deep in the soil of the past." No one generation, whatever its experience, could have invented such a system. It is a development, under a new environment, of old forms of government. Everything in it that was new was a "conservative innovation." (*W. T. Brantly, Of the Influence of European Speculation in the Formation of the Federal Constitution, 1880, in Southern Law Review, New Series, Vol. VI, p. 351.*)

Yet it is a characteristic of the race both in England and America that it has never really broken with the past. Whatever of novelty may appear from time to time, there is ever under all the great and steady force of historic continuity. (*C. Ellis Stevens, Sources of the Constitution of the United States, 1894, 2nd edition, p. xvi.*)

In fact, the distribution of political powers between co-ordinate governments — a system which sprang up in Plymouth, Massachusetts Bay, Connecticut and Rhode Island — had no existing counterpart in the countries of the civilized world. It can be historically explained only as the instinctive reproduction of primitive institutions under the influence of a primitive environment. (*William C. Morey, The Sources of American Federalism, 1893, The American Academy of Political and Social Science, Vol. VI, p. 211.*)

The new political system was a modification neither of the Confederation of 1781, nor of the Albany Union of 1754, nor of the New England Confederacy of 1643. These superficial alliances served, it is true, to bring the colonies and States into more amicable relations, by which they could aid each other against their common foes. But none of them contained the essential and distinctive features of that composite state-system which was established by the Constitution of 1787. We must search deeper into American political life, and