

Address given by the Rev. Theodore M.  
Hesburgh, C.S.C., President, University  
of Notre Dame, at the Notre Dame  
Bicentennial Conference, March 11, 1976

American aspiration is like love, a many splendored thing. Its roots are deep in the history of this country. In great part, it is the sum of the aspirations of every single American who came to these shores, if they came freely as most did, seeking something splendid, something impossible for them in the land they left. In great part also, the aspirations of Americans are what can be derived from the thoughts, often conflicting, of our Founding Fathers and how these thoughts found expression in our basic documents, the Declaration of Independence and the Constitution. To these two considerations one must add immediately the fact that aspirations, like everything human, tend to evolve, develop, and even change over time. History is a safe departure point, but the farther we progress from that primordial starting point, the greater the danger of history being rewritten to fit some modern persuasion or concern or even hope. Revisionism is a favorite indoor sport in these bicentennial days.

I would like to begin on the firmest ground we have available, a shorthand look at the history of those days when America, as we know and love it, really began. In this tour d'horizon, I shall merely try to state the facts as they are generally known and accepted. Interpretation comes after the fact.

It is an interesting fact that our Western Hemisphere was one of the last to be known and settled by what was then known as civilized

man, which in our prejudiced way comes to read Western man. The fact is that men and women, human beings, had been in our hemisphere somewhere between fifteen and forty millennia before Western man arrived. While we would consider their life style generally primitive, it was for the longest part of their history, no more primitive than most other humans around the world. Somehow they did manage to feed and clothe and organize themselves politically. They also created, in complete isolation, two rather extraordinary civilizations, the Maya in Meso-America and the Inca in the high plateaus of South America.

The Mayas, the oldest and best civilized people in our hemisphere, outlasted the Olmecs, Zapotecas, Teotihuacans. The Mayas were a peaceful people, oligarchically ruled, given to art and architecture, developing a calendar as accurate as ours, but based on Venus which shines most brightly in their Southern sky. They had glyphs to record their dates and happenings. The other, more warlike civilizations, before and after them, came and went more quickly. Maybe there is a lesson in this. When John L. Stevens first reported scientifically on the highly civilized Mayan remains at Chichen-Itza, Uxmal, Palenque, and Tikal in 1841-43, the intellectuals of that time insisted that no native Americans could have created such wonders. There had to be some extraordinary intervention in the dim past from the West or from China. I only mention the Mayas to indicate that the history of this continent did not begin from scratch with the arrival of the Spanish, French, English, or Portuguese. The Mayas were building pyramids and palaces when some of these Europeans were living in caves.

Our story of America, of its aspirations as reflected in the

Declaration and the Constitution, really begins with the arrival of two new groups, the English in Virginia and the pilgrims in New England.\* While both settlements were potential disasters, they both became, with all that followed, one of the most significant human and political experiments in the history of mankind.

Before tracing the history of this political development, one should think for a moment about the land that was about to be resettled. Its three million square miles have everything our good planet earth can provide, more useful forest and mineral wealth than any other land, one half the coal on earth, for example. It is laced with rivers and dotted with lakes, large and small. No country on earth can match its Midwestern agricultural lands and climate. Its mountains are both modest and spectacular. It is bounded by the two greatest oceans and felicitously situated between 22' and 55' North. Below it are debilitating tropics and above much land that is comparatively bleak and unproductive. Since one cannot reproduce this total magnificent land mass anywhere in the world, perhaps it should not be mentioned in interpreting the meaning of the American experience for the rest of the world. However, it would seem uncritical to recount that experience without at least mentioning the physiognomy of this great land in which it occurred. Land is a given. It may be well or badly used. It is only the spirit and character of a people that eventually shape a land, forge a nation upon it.

----

\* I am indebted to A. Cooke's, America, for many of the facts and insights that follow.

Somehow, in our story, the spirit of the people was to match the great goodness and expansiveness of this land. Even so, for our forebears, there was, in fact, a great land waiting for nationhood. Once the Virginians and the Pilgrims were in place, granting that they brought with them a great heritage, both positive and negative, events moved quickly as history goes. Remember that the Mayas, our early neighbors, were a thousand years or two developing as a people and their striking civilization flourished from 100 B.C. until a century before the year 1000, when they disintegrated internally and were conquered by the Toltecs. Six hundred years later, when Christopher Columbus and his followers touched these shores, the stage was set for a new experiment. A vast continent was available. Successive waves of people would arrive and a new form of self-government would emerge. It would, like all history, result from what people did and how they were led, how their new aspirations took shape in their new and emerging institutions.

In Virginia, the creative leaders were Thomas Jefferson and Patrick Henry and the institutions, formal and informal, were the House of Burgesses and Raleigh's Tavern. In Massachusetts, John Winthrop was the man and the Mayflower Compact gave rise to the primeval form of self-government that grew quickly under Governor Winthrop's leadership. One might note for future reference that Winthrop wanted to create "A City of God," originally in Ireland, then in Virginia which he fortuitously missed by bad navigation, giving him the chance

to form independently the Massachusetts Bay Colony. It should also be noted that before they had a say in government through election, these people had to be certified as "God's elect." Also, the new liberties were only for Puritans at first, not others.

Within a year of his arrival, Winthrop's government had guaranteed trial by jury, protection of life and property by due process, freedom from self-incrimination, and no taxes for non voters. Fortunately, the lowly cod made the colony economically viable, as did tobacco in Virginia.

As we begin to speak of the American experience, it should be remembered that we are referring to thirteen different colonies spread thinly along 1400 miles of Atlantic coastline. These thirteen colonies were like thirteen nations, with their own unique government, currency, trade laws, and special religious customs. What was unique about them, even as colonies, were their town meetings, their having elected rather than appointed state militias, their abolition of primogeniture, and, in general, their freedom. Curiously, for those early years, what really bound the thirteen together was their allegiance to the King of England until George III upset the applecart.

When George III tried to make the colonists pay for the expenses of the Franco-British war in America, by the Stamp Act, the reaction on this side of the Atlantic was violent. When, through unusual political stupidity, all the taxes were revoked except that on tea, which almost everybody drank, there was a series of events that all remember: The

Boston Massacre, the Tea Party, the meeting in Old South Church -- a revolution conceived in the name of freedom and liberty -- heady notions for colonists.

The colonial underground with its Committees of Correspondence <sup>were</sup> were formed, <sup>with</sup> with Sam Adams, the leader of the Boston Tea Party, <sup>calling</sup> calling for a Continental Congress with Thomas Jefferson and "Give me liberty or give me death" Patrick Henry aiding and abetting from the Raleigh Tavern in Virginia.

Again, the distant British government over-reacted. The Port of Boston -- a vital colonial economic life line -- was closed and General Thomas Gage dispatched there with four regiments of troops. In Williamsburg, Virginia, the House of Burgesses was closed. They would have done better to close Raleigh Tavern and South Church.

The denouement came quickly with the Provincial Convention, the Philadelphia meeting of rebels, the choosing of 43 year old George Washington as Continental Commander, following Lexington, Concord, and the "shot heard around the world" in April of 1775.

It is amazing how great documents are sometimes composed in humble circumstances. At the beginning of the hot Summer of 1776, five remarkable early Americans gathered in a room over a horse stable in Philadelphia. One thinks of the smell and the horse flies. These five men represented in microcosm the three cultures of the thirteen colonies: John Adams of the Puritan Oligarchy of New England, with Roger Sherman of Connecticut, Benjamin Franklin of Pennsylvania, and Robert Livingston of New York representing the

mercantile middle colonies, and Thomas Jefferson, the great Southern aristocrat, who at the age of 33 wrote the stirring final draft.

I suppose it can be fairly said that more than anything else, the Declaration of Independence continues to state the deepest aspirations of the American people. The Declaration was dated on the 4th of July, but published a day earlier. Later, 56 greats would sign and endorse it, thus pledging their lives, fortunes, and sacred honor for the revolutionary ideas the Declaration now proclaimed to all the world. The signers were not really revolutionary types, although they had the spirit of a new creation, as Crèvecoeur put it, "this American, this new man." John Hancock signed at the top, with a bold flourish so that, as he said, "The King of England could read it without his glasses." Charles Carroll, the only Catholic signer, added his address, "of Carrollton." He lived to the age of 95 and died one of the richest men in America.

If the world was to be shaken, then and in the years to come, it would be because of two basic revolutionary statements:

"That all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

\*\*\*\*\*

"That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

Nothing could be more alien political doctrine in the lands and traditions of monarchy from which the ancestors of these men came a short century and a half before. In the years ahead, and in the centuries that followed, these same revolutionary ideas would spell the end of monarchical France, the German Republic, Imperial Russia, and, in our life time, colonies all around the world.

Five years later, on October 19, 1781, Lord Cornwallis surrendered to the rabble army, so called, at Yorktown. In 1783, the Peace Treaty was signed in Paris.

The country was far from being really born though. It was still only an aspiration. The committee to draft the Articles of Confederation had begun work nine days after the Declaration of Independence. By 1781, these Articles were the Law of Congress, but they simply produced what was called the "Disunited States of America," all the states going their own merry way, the Congress being the only national institution. The fatal flaw was to attempt to establish a national government while leaving the states ultimate sovereignty. This reminds us somewhat of the plight of the United Nations today.

The Declaration had declared rights and liberty, it did not specify the form of government under which these were to be secured. There was an exalted end, a high purpose in clear view, but no means, no effective instrument of government to achieve the dream of the Declaration.

Happily, 55 of the Founding Fathers were again called together in 1787 in Philadelphia, at the State House now called "Independence Hall." The Fathers were the most civilized of the revolutionaries, the elite of government, business, and the professions in the various states. Half of them were lawyers; more than half college graduates. Their average age was 42. Again, unlikely revolutionaries.

The task before them was stark and simple: how to establish a government that, unlike the Articles of Confederation, would effectively balance the power between the central government and the states. How to do it was not so simple, although they completed their work in 17 weeks.

In general, they knew what they were against: monarchy and standing armies which were almost always used to suppress freedom. They wanted a republic, but what kind? With unusual wisdom, they began by abolishing the Articles of Confederation and then spent 8 weeks looking for a European model of government. Franklin concluded for them all in saying that he found in these current forms of government only the seeds of their own dissolution. There would be no parliament in America.

George Washington, as Chairman, used his considerable prestige to hold the convention together, in secrecy no less -- and focused on the central issue which was argued from two extremes. Alexander Hamilton, the protagonist of the aristocratic principle, wanted a very strong central government that could veto the states which he would have preferred to eliminate altogether. Hamilton also wanted

a President and Senate elected for life. George Mason of Virginia, twice Hamilton's age, argued the other extreme. Mason wanted the weakest central government possible, consonant with confederacy. Having previously drawn up the Virginia Bill of Rights, he wanted a similar Bill for America, with his favorite rights of freedom from search without a warrant, freedom of assembly, and no double jeopardy under the law included. Neither Hamilton nor Mason won the day, Mason even losing his Bill of Rights, though this was to come later.

The mediator who saved the day and made a Constitution possible was James Madison, 36, also of Virginia. For Madison, true to the Declaration, the main purpose of government was "to act upon and for the individual citizen," protecting minorities from the majority, granting no states' rights above the central government. Madison's key dictum was that "If men were virtuous, there would be no need for governments at all." Taking a dimmer view than Jefferson's about human virtue, he suggested a government of checks and balances, with separate branches of government responsible to different constituencies. In this, he was faithfully following Montesquieu. He was willing to let these separate powers collide for their own good political health, with a President to keep an eye on Congress, a Congress to keep an eye on the President, and a Supreme Court to keep an eye on both of them. The Supreme Court is key here since its concern is not for precedents of common law, but, purely and simply, for the Constitution which controls the legitimacy of both Presidential and Congressional action.

He would have the national government represent all variety of men, interests, and factions.

The Convention decided that to achieve balance, all states would have two senators and a proportionate number of representatives in the House for lesser terms to represent the grass roots, as it were. The national government, the source of national unity, would neither coerce or rival the states. All powers not stipulated for the purposes of national government would devolve on the states who would control such matters as education, highways, taxation, banking, liquor laws, criminal and civil codes. Without this last concession, the states would have left the Convention.

So the Constitution evolved in the weeks that followed and was ultimately adopted by the states, though not without difficulty. The vote in Virginia, for example, was 89 for and 79 against, Patrick Henry and George Mason voting against.

The historic drama was not quite finished. Thomas Jefferson, who as Minister to France was not in the Convention, heard of Mason's failure to get the Bill of Rights. Jefferson felt that the Constitution, as written, was a good political document, but imperfect without a specific guarantee of the rights for which all of them had fought and separated themselves from the Crown. He urged twenty such basic rights -- the true specific aspirations of all Americans -- and within four years, ten amendments were passed comprising most of his twenty and allowing for others to come. In fact, sixteen more have been added to the original ten, and we are presently considering others. It may well

be that Jefferson, too, saved the day because the Constitution, without the Bill of Rights, may just not have been workable, especially as the Constitution became more detached in men's minds from the Declaration, the clarion call for liberty.

Curiously, as we look back, neither democracy nor political parties are mentioned in the Constitution. Washington, in fact, called political parties mischievous and Hamilton, as might have been expected, wrote two days before he died, "Democracy is our real disease." It may be that he saw the future more clearly than Jefferson who was always counterposing aristocracy of talent and virtue, in which he strongly believed and greatly exemplified, against the traditional aristocracy of birth and wealth, symbolized in the Crown. Even William Gladstone, Dean of British Prime Ministers, wrote: "The Constitution of the United States is the most wonderful work ever struck off at a given time by the brain and purpose of man." The Constitution was the engine created to make the aspirations and promise of the Declaration of Independence come true. That promise has been 200 years in the making.

I suppose it is quite natural as America grew and prospered, and entered quite lately the wider world of all mankind and all human striving, that increasingly it is asked what the Founding Fathers really meant, how well they spoke for the aspirations of Americans, not only then, but yet today. It is also being questioned that they really spoke to the world at all. These are perhaps unfair questions, but they are being asked and should be answered.

One of the best responses to these questions comes from a recent copy of The Public Interest especially prepared for the Bicentennial.

The focus of these articles prepared by scholars of congenial concern is to react to modern America in the light of Lord Bryce's classic, The American Commonwealth, written in 1888, shortly after the first centennial celebration. It was, of course, noted that all was not well in 1876, but considerably improved a dozen years later when Lord Bryce wrote his classic. His words in Chapter I would give even the greatest optimist pause today:

"The institutions of the United States are deemed by inhabitants and admitted by strangers to be a matter of more general interest than those of not less famous nations of the Old World. They are, or are supposed to be, institutions of a new type. They form, or are supposed to form, a symmetrical whole, capable of being studied and judged together more profitably than the less perfectly harmonized institutions of older countries. They represent an experiment in the rule of the multitude, tried on a scale unprecedentedly vast, and the results of which everyone is concerned to watch. And yet they are something more than an experiment, for they are believed to disclose and display the type of institutions towards which, as by a law of fate, the rest of civilized mankind are forced to move, some with swifter, others with slower, but all with unresting feet."

In the vernacular of today's youth, the response of these scholars writing in The Public Interest is "no way." Patrick Moynihan leads the

procession in his Introduction when he says of the world today that the American experiment in democracy is not going very well.

"Neither liberty nor democracy would seem to be prospering -- or in any event, neither would seem to have a future -- nearly as auspicious as their past." As to others following our lead, he adds: "To the contrary, liberal democracy on the American model increasingly tends to the condition of monarchy in the 19th Century; a hold-over form of government which persists in isolated or particular places here and there, and which may even serve well enough for special circumstances, but which has no relevance for the future. It is where the world was, not where it is going."

It is true, as Moynihan observes, that we held the field during the 19th Century and reached a kind of apogee with Woodrow Wilson in 1919, then to be challenged by all forms of socialist regimes, some or even most now masquerading under the name of democratic republics. Of our own patriotic stance, Moynihan says: "The flag remains, but little else that is not battered or banal or both." He has for us only one last word of hope, more reminiscent of Greek political philosophy than of Locke or Montesquieu: "For when all else is gone, virtue remains. If it has ever existed, it is present still."

On this slim reed of hope, I would base my disagreement with him and most of the authors of this volume, insofar as they too often exude an all permeating pessimism on the future of America or of America's aspirations. Most of what they say is true, but there are various ways of interpreting the truth, especially as

one looks to the future in a Bicentennial year. Lord Bryce could not have been quite so expansive had he written a dozen years earlier, at the time of the first centennial. History brings problems, but also new hope and new perspectives. All is not lost, despite the current pessimism of many intellectuals.

As a sagacious Frenchman once wrote: "At each epoch of history the world was in a hopeless state, and at each epoch of history, the world muddled through; at each epoch, the world was lost, and at each epoch, it was saved." (Maritain, Reflections on America, p, 111) One hopes that this is still true today.

However, before hoping for the best, one should look to the worst. This is very briefly what the authors of "The American Commonwealth, 1976" (The Public Interest, Fall, 1975) reflect.

The opening essay by Sam Huntington says that the democratic circuits are presently overcharged by the demands of minority and other special interest groups. He believes, if I read him correctly, that they demand more than democracy can deliver and they demand it here and now and all at once. Unless they learn to moderate their demands, democracy overindulged will become a threat to America. He quotes John Adams to say that "Democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy that did not commit suicide." Huntington adds: "A value which is good in itself is not necessarily optimized when it is maximized ... there are potentially desirable limits to the extension of political democracy. Democracy could have a longer life if it has a more balanced existence." (Ibid., pp. 37-38)

Another author, Martin Diamond, is seized by the idea that modern academics have reversed the Founding Fathers' idea of liberty as the goal and democracy as the means to attain it. Democracy has been transformed into the uniform litmus paper of our worldwide approval or disapproval of governments, an ideology "of equality in every respect." As he says it, "The underlying complaint against the American political order is no longer a matter of mere reforms, or even of wholesale Constitutional revision, although there is always a kind of itch in that direction, but rather a critique of the entire regime in the name of a demand for equality in every aspect of human life. It is a demand which consists in a kind of absolutization of a single principle, the principle of equality, and at the same time of an absolutization of the democratic form of government understood as the vehicle for that complete equality. This is a different posture towards democracy indeed than that embodied in the American founding." (p. 55) In a very real sense, he is posing the distinction between liberty and egalitarianism as the prime goal of America, and democracy as a means rather than an end, in fact, a means not even mentioned in the Constitution.

A whole spate of authors who follow say that America is ready for a decentralization of political power, and a lowering of utopian morality, especially worldwide, a realization that the American government cannot do everything.

The final essay of the series by Daniel Bell reiterates a common theme, that America has had a loss of innocence and is now coming of age with a sense of its mortality and fallibility.

Bell concludes: "The recent political history of the successive administrations has left the nation with much moral disrepute. All of this places a great responsibility on the leadership of the society. This necessitates the recreation of a moral credibility whose essential condition is simple honesty and openness. It means the conscious commitment in foreign policy to limit the national power to purposes proportionate with national interest, and to forego any hegemonic dream, even of being the moral policeman of the world. Domestically, it means the renewed commitment to the policy of inclusion whereby disadvantaged groups have priority in social policy, both as an act of justice, and to diffuse social tensions that could explode. The act of 'conscious will' has to replace the wavering supports of American exceptionalism as the means of holding the society together.

"Of all the gifts bestowed on this country at its founding, the one that alone remains as the element of American exceptionalism is the Constitutional system, with a comity that has been undergirded by history, and it is the recognition of history, now that the future has receded, which provides the meaning of becoming twice born. America was the exemplary once-born nation, the land of sky-blue optimism in which the traditional ills of civilization were, as Emerson once said, merely the measles and whooping cough of growing up. The act of becoming twice-born, the entrance into maturity, is the recognition of mortality of countries within the time scales of history." (Ibid., p. 223)

I should apologize for interpreting so much from so little, but I did read the articles in question carefully, and do conclude that the last thing the American people, and indeed the world, need in this Bicentennial year is more pessimism. Granted we are at a difficult juncture in the history of mankind, and are at times reminded of Ronald Knox's jingle:

God's world had a hopeful beginning  
But man marred his chances by sinning  
We hope that the story  
Will end in God's glory  
But at present the other side's winning.

If man needs one commodity today more than anything else it is hope. Despite all America's flaws, and today we are in a paroxysm to exhibit all in detail, the simple fact is that America and her aspirations are still today the best expression of what I would call mankind's universal hope.

John Nef terminated his book, The United States and Civilization, with a similar thought, paraphrasing together both Rousseau and Marx. "Goodness and wisdom were born free, but everywhere they are in chains. Good people, honorable people, intelligent people, truth-loving people of the world, unite. You have nothing material to gain for yourselves; but you have the opportunity to serve humanity. You have the opportunity to bring about a rebirth of the human mind and spirit." (University of Chicago Press, 1942)

Such a rebirth will not occur, ever in our times, if the American experience fails, which is to say, if we lose heart. We, as a people,

said Lincoln, were conceived in liberty and dedicated to the proposition that all men are created equal. Few, if any, bodies politic began quite this way or lasted quite this long under an inspired Constitution. Few, if any, countries have received so many miserable people, over so brief a span of time, and inspired them so quickly with a common ideal and a common task of achieving liberty and justice for all. No country has such a variegated population representing every nationality, color, culture, and religion on earth.

America has more blacks than there are Canadians in Canada, more Spanish-speaking than Australians in Australia, more American Indians than when Columbus arrived, two or three times more Jews than Israel.

During the 1840's and 50's, more than a fourth of the population of Ireland came to America when a million died in Ireland during the Potato Famine. Before 1890, the largest influx of immigrants from Germany, Scandanavia, England, and Ireland, afterwards from Italy, Austria, Hungary, Russia, Poland, and just about everywhere else. In the first two decades of this century, over fourteen and a half million persons passed through Ellis Island, at times 8000 a day, with 15,000 waiting in New York Harbor, mostly illiterate, most possessing only the required \$25, but all filled with limitless new hope.

Somehow they all learned to live together, with increasing comity and tolerance and, one should add, the kind of virtue that only such an unusual situation could elicit. In a sense, our American population, like no other on earth, represents the spread, the variety,

as well as the yearnings of universal humanity. If we cannot press forward to achieve these basic aspirations of liberty, equality, and fraternity -- to borrow from the French -- in a government that Lincoln best described as "of the people, by the people, for the people," I do not know what other nation is likely to do so on such a scale and with such a dramatis personae as America possesses.

Again Lincoln put it best in his first message, speaking of the basic American aspiration .... "The struggle for maintaining in the world that form and substance of government whose leading object is to elevate the condition of men; to lift artificial weights from all shoulders; to clear the paths of laudable pursuit for all; to afford all an unfettered start and a fair chance in the race of life."

Lincoln was under no illusion that America's experiment was complete, a closed book. In fact, he was facing the greatest contradiction and flaw in our history, slavery. It is a curious fact that even the Founding Fathers could not honestly solve this dilemma. There was to have been a brave denunciation of slavery in the Declaration of Independence, but it was deleted at the insistence of Southern slave owners and Northern shippers. In the Articles of Confederation, the quota of troops was specified in proportion to the white population at the insistence of the South. During the discussion on the Constitution, a Southerner, George Mason, proposed to abolish slavery, but was defeated. Almost a century passed before the nation went to war on the issue.

When Lincoln proposed the Emancipation Proclamation, his whole Cabinet voted nay. Lincoln voted aye and remarked, "The ayes have it."

The Proclamation emerged during the Civil War in 1863. But even then, even after the end of the war and the passage of the Thirteenth, Fourteenth, and Fifteenth Amendments, the matter was not settled. President Hayes sold out the blacks to gain the South and the Presidency. The nation took a monumental step backwards as the Reconstruction ingloriously ended. Even the Supreme Court capped it with Plessy-Fergusson.

Over a half century passed until the Supreme Court began to undo the damage with the Brown Decision in 1954. President Eisenhower then remarked that his appointment of Earl Warren as Chief Justice was one of his great mistakes. In fact, little happened. In the next decade, less than 3% of the de jure dual school systems of the South were integrated. It took another Southerner, Lyndon Johnson, to complete what Missourian Harry Truman had begun by integrating the Armed Forces after World War II. Johnson really pushed the Congress after Kennedy's assassination to pass the landmark Civil Rights Acts of 1964, 1965, and 1968.

In the one short decade of the sixties this nation, at long last, corrected the injustices and indignities of more than three centuries, granting American blacks equality of opportunity in voting, education, employment, housing, administration of justice, political participation, and public accommodations. The latter, following the passage of the 1964 omnibus Civil Rights Act, overturned in one day the vicious mores dating back to the arrival of the first black slave in then white America.

I submit that no nation, ever, has accomplished more in a decade for human rights and the ultimate vindication of justice than America did in the decade of the sixties. This action was more important by far as a positive step forward than the negative actions of Vietnam and Watergate. It is also a reason for hope of what might yet be accomplished.

I believe that at least this illustrates in the modern context the truism that the battle for freedom and equality, for life, liberty, and the pursuit of happiness is never truly won. Each generation of Americans, indeed of all humanity, must strive to achieve these aspirations anew. Liberty is a living flame to be fed, not dead ashes to be revered, even in a bicentennial year. The world at large is ever conscious of what is happening in America, good and evil. They are even more conscious of what we are doing to make our aspirations work, here or wherever in the world we do business or diplomacy.

It was no mistake or accident of history that after World War II, an American and a Frenchman, a woman and a man, a Christian and a Jew, Eleanor Roosevelt and René Cassin, authored the Universal Declaration of Human Rights. It is a shame that so few important nations, ourselves included, have never officially approved the two great United Nations Protocols that flowed from this Declaration -- that of political and civil rights, and that of economic, social, and cultural rights. It would be a great and symbolic act to do so in our bicentennial year. I believe deeply that these statements of human rights represent the truest aspirations of Americans and of human kind generally. We must

lead the way today, as we did at the time of our nation's birth. We might also push, at this time, for the appointment of a United Nations High Commissioner of Human Rights, to be the conscience of the world in this most important and, today, highly violated area.

As Madame de Stael told a Boston scholar in 1817, "You are the advance guard of the human race." Ten years later, Goethe remarked, "Amerika, du hast es besser als unser Kontinent." A century later, in the early hours of the morning of November 11, 1918, the day of the Armistice, Woodrow Wilson wrote: "Everything for which America has fought has been accomplished. It will now be our fortunate duty to assist by example, by sober friendly counsel and by material aid in the establishment of just democracy throughout the world." Sailing for France and the Peace Conference, he said: "We are to be an instrument in the hands of God to see that liberty is made secure for mankind." An impossible dream for those days perhaps, when America turned inward and rejected the League of Nations, but again we did *in avoiding isolationism and creating new international organizations* better, after the next world war. Anyway, the aspirations for liberty, justice, and peace lived on, despite the dismal decade of the 20's.

In a turnabout of history, Franklin Roosevelt said that he was sending arms to a beleaguered Britain "to enable them to fight for their liberty and our security. We have the men, the skill, the wealth, and, above all, the will. We must be the great arsenal of democracy."

Finally, two decades and a half after World War II, John Kennedy continued the presidential expression of our national aspirations,

during a cold war, for all the world to hear in his inaugural: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and the success of liberty."

Is all of this empty rhetoric, or is it a constant tradition, from the Declaration of 200 years ago, that still speaks of liberty to the heart of our people and to the world? I, for one, do not believe that America is a thwarted experiment, a burned-out case, a fading hope. Despite the negativism of the day, we are becoming "twice born," coming of age and it is not the decrepitude of old age. A wise man once said that liberty is the luxury of self-discipline. We do indeed need much more self-discipline in America today. The world may or may not follow, but we must lead because our tradition says we must; liberty is worth the effort, and the creation of justice and peace abroad will in large measure depend on the measure of justice and peace that we create here at home, increasingly in our America. Whatever its faults, America is still the most exciting human experiment in all the world.

Sometimes, in the heat and even despair of the constant struggle to live up to our aspirations, in an increasingly complex and muddled world, it might raise our spirits and deepen our faith and hope to see ourselves as others see us. My concluding lines were written by a French philosopher, Jacques Maritain, in America, in 1943, when his home country under the Nazi heel, was anything but free:

"There is indeed one thing that Europe knows and knows only too well; that is the tragic significance of life .... There is one thing that America knows well and that she teaches as a great and precious lesson to those who come in contact with her astounding adventure: it is the value and dignity of the common man, the value and dignity of the people ..... America knows that the common man has a right to the 'pursuit of happiness'; the pursuit of the elementary conditions and possessions which are the prerequisites of a free life, and the denial of which, suffered by such multitudes, is a horrible wound in the flesh of humanity, the pursuit of the higher possessions of culture and the spirit .... Here heroism is required, not to overcome tragedy, but to bring to a successful conclusion the formidable adventure begun in this country with the Pilgrim Fathers and the pioneers, and continued in the great days of the Declaration of Independence and the Revolutionary War." (Reflections on America, p. 113)

Jeff [March 11, 1976]

## The Right to be Human =

1. Q of B. C. = What Amer. was meant to be<sup>①</sup>
  - ② what it is +
  - ③ what it yet could be

And ④ what this means to all the world -  
+ humanity

2. What Amer. was meant to be: histo. g. -

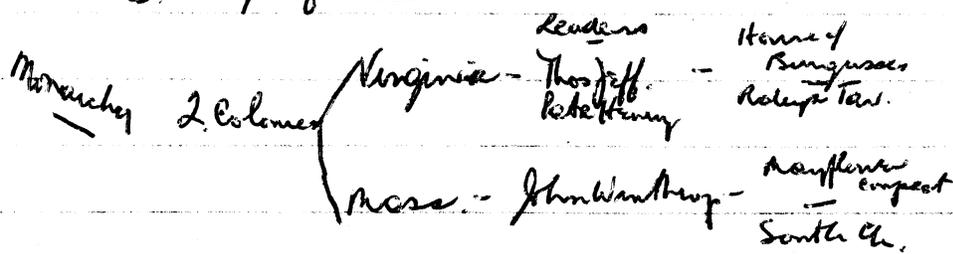
Two Docs - Decl. + Const. =

.. Statem<sup>t</sup> "We hold these truths ..."

+ "to ~~secure~~ secure these rts - Govts are inst.

Among men, deriving their justness from the  
consent of the gov<sup>t</sup>d.

3. Bkgd of these two statements -



Almost 1 - Wentley to King - married → Mass  
City of God

New forms: - All mans life - mostly slave  
Monarchy - des. at. - overall

New life  
New  
freedom  
New pt. King - strong freedom for secret info. consent  
no self-interest, no tax on property  
of assembly, no double jump

4. Start: Taxes Stamp Act - Tea - Notaries  
settlers

Boston Massacre - Tea Party - Inty in  
South ch.  
Rev. concerned.

Col. Undept - Comm. of Currency, Sam Adams

Cont. Congress - help for Jeff + Hancock

Prot. D. Everett - Close Boston port

Let + Concord  
Apr 75  
Shot heard 5 → Prov. Cons. - Phila entry of rebels - Open work  
Gov. work  
Cont. Comm.

5. Decl of Indep - Summer 76

5 men { John Adams - Mass. - Pres.  
Roper Sherman - Conn. - mem.  
Benjamin Franklin  
Robt. Livingston - N.Y. -

Thomas Jefferson - 33 - best draft.  
July 4 - 56 signed - life, liberty, sacred honor

→ time of typographic printing - "We hold these truths

ended man. Fr, Reform Rep, Purse and Imperial  
- all achieved on day

1781 - Lord Cornwallis - Yorktown

1783 - Peace Treaty - Paris

= 9 days after Decl. - Nat. of Confed - notified 1781 =

United States of America - all sov - no amts

5. - Const

Liberty Declared - needed a Const to achieve

55 men - { half lawyers  
more coll. goods - age 42  
1787 - State House - Indep. Bell -

17 wks -

Wash. Chmn

Ham - all power to Fed Gov. - Aristocratic

Mason - most power to States - populist

36 - Madison - mediator - balance of power

Some to Fed - Some - states

Peck - Walker

Flaws { Slavery - X for Deal  
" " X for Const.  
Bill of Rights - Jeff - absent from Const.

20 states - when 4 years - 10 more  
More to come

16 added - since - more  
to come

13-14-15 amend.  
Slav. still - Emanc. Procl. - all neg but  
freed

- Negroes sold out - end of Reconstruction  
to our days

Please to say -  
- sep. but equal -

Prose & Church - 4 freedoms - blacks still sep.  
Crummer - integ. armed forces

54 - Warren - Brown -

64 - Johnson = We shall overcome

↳ what it meant { accord.  
voting  
educ.  
rights - adm. & Just.

More in 16 yrs than ever -

Brad

(5)

6 U.N. = Unw. Dec. After W.W.II

Amer + French	} All at members to human man/woman/child
won + man	
X bn + Jew	
Exec. P. + Re Corwin	

We've never ratified. But { Pol + Civ -  
Econ - soc -

Didn't 25 yrs ago. Old time.

Glenn →

when ... the world reduced to 24 democracies in 142

7. U.S. a prototype of all races + rels +  
Colors - cultures

human mind  
tradition

We can show mutual understanding  
+ tolerance  
Civic peace + unity  
E pluribus unum

World needs hope + inspiration -  
we must give it --