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Fallacy of Progress in Politics

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In the oratorical contest open to all law students at Notre Dame, JOHN CAREY delivered "The Lasting Effect of The Civil War", was awarded the McInerney Prize.

JOSEPH P. MCNAMARA, law student, member of the Scribblers and President-elect of the Wranglers, was recently chosen editor-in-chief of The Notre Dame Lawyer for 1927-28.

THE FALLACY OF PROGRESS IN POLITICS

Much has been written lately about progress: editors, magazine writers and essayists have vied with one another in treatment of the subject. For the most part, they are all agreed on the essential point; they are unanimous in saying that there really is such a thing as progress, and they unhesitatingly offer the United States as proof. References are made to our prosperous industries, our contented laborers, our educated youth, our material prosperity; until jaundiced indeed must be the critic who dares deny the exceptional progress this country has made. Jaundiced he must be, but bold as well, for a destructive critic does not fare well in America. Nothing violent is done to him, of course—the days of physical retribution are gone; but there are other, subtler but equally powerful, ways of putting an ob-

strctionist to rout. That crisp word "knöcker" has a vicious ring to it, and when applied to a man, is generally sufficient to consign him to oblivion.

And it is perhaps well that this is so. Editors of business magazines—shallow they may be, but influential they are—have summed up the matter well. They declare that there is no room for malcontents in a busy, progressive age. Destructive criticism acts like a brake on industry, and is seriously apt to retard the so-called "wheels of progress". The conservative is believed to be an indolent sort of fellow who would rather abide by well-established institutions than bestir himself to make a change. There is no room for such persons here. The sooner they learn that the better—both for them and for us. If there are any who are dissatisfied with the way things are done in this country, they can move. No one will stop them—in fact, their departure will probably be the signal for a concerted prayer of relief. . . . And so it goes; the life of a critic of modern progress is far from enviable.

The editors of the business magazines are probably right, so far as business is concerned. Intelligent men do not deny that industrial progress has been made, nor do they dispute that economy, efficiency and standardization are ends worth striving for. The critic of modern business methods thoroughly deserves a rebuke, for he does impede progress. Defenders of the present regime have all the reason on their side. Their arguments, pointed, popularly phrased, have a distinct effect; the critics are not heard for the laughter they provoke.

But the trouble with the business men is that they have not kept within their own domain. They have invaded our legislatures, and there have applied their same philosophy of "progress". Imbued with the advantages of progress in commerce and industry, our business-legislators—all in fact, who are impressed by material progress—are ambitious to reform political theory as well. They assert that "the age of the wheelbarrow is not to control that of the airplane". They wish the time-worn, old-fashioned natural right theory of government to be discarded along with the horse and buggy. So a new philosophy has been adopted, one that is a little more in keeping with the ideals of the twentieth century.

This new theory is plausible—wherein of course lies the danger. Our new-day thinkers admit that at a time when the country was sparsely settled the subject of State activity was very properly the individual; in the wilderness a man's rights must not be violated. But now, when single cities alone boast of a population as great as that of the entire country in 1787, circumstances are asserted to be vastly different. Society, and not the individual, is now the unit to be considered. The individual must sacrifice some of his rights, and recognize the demands of a crowded, compact population. A pleasant theory, this, and comforting to those who are addicted to State-worship.

So far the advocates of the modern conception have been phenomenally successful. Every law passed in the last decade bears the impress of their theory. Every sort of human activity is confined within narrow limits. Property is constantly being taken away—without excuse, without apology. Use of land is subject to the aesthetic and expedient demands of society. Of what value is the right to property if a man be fenced in by all sorts of zoning restrictions? Why prate about man being king of his own land when the State may invade it at will, letting loose a torrent of water, for instance—as it did in Louisiana—merely because dictatorial bureaucrats *thought* that other land might be saved? . . . Liberty is in even a worse condition; legislators despise the very word. One university professor boldly asserts that to defend liberty is to admit that man has a right to self-destruction, quite forgetting that liberty is and always has been subject to conscience and reason. . . . Life itself is being denied—unless mere brute existence can be said to be life. The other day the Supreme Court of the United States declared to be constitutional an Act compelling the mentally unfit to undergo sterilization. The right of man to marry is thus made subject to the will of a fallible State Board of Examiners. What illustration could show more poignantly that man is degenerating into a slave of a majority's will?

The implications of the modern trend of legislation cannot be overdrawn. Everything we own, everything we do, is rapidly becoming subject to the arbitrary will of materialistic demagogues. The true notion of government is being twisted and turned until finally vast numbers of people say outright that the

State is not the protector of rights, but the creator of them. Powers of government are unlimited. The remark of the editor of a contemporary magazine that "most people expect Congress to tackle everything from the Panama to the alimentary canal" is more than a jest; it is a depressing commentary on the character of modern legislation. It shows that man is a cringing creature, unwilling to trust himself or his neighbors, preferring to let the legislature establish rules of right and wrong.

But all this is said to be "progress". Is it progress then to depart from truth? Man is still prior in right to the state, which after all, was established solely for his benefit. Can any advancement be made from that? To say that rights were unalienable a hundred and fifty years ago, but not unalienable now, is a contradiction in terms—for the word "unalienable" means *not ever to be alienated*. How then can they be alienated now? The answer is simple, but it seems to be futile.

But is a reply based on reason ever futile? To urge a return to fundamental conceptions will not be forever unavailing. Reasonable arguments, if used long enough, will ultimately be effective. There is something naturally obnoxious in the declaration that man is subject in his most personal activities to the wishes of another. Sooner or later this will be realized; then it will be seen that there can never be progress away from truth, nor advancement from right. The very nature of man cries to be let alone, to be allowed to live—subject only to the dictates of reason which are established not by the State, but by God.

C. J. R.

A CORRECTION

In the first installment of Judge Wooten's article on "State and Church in Mexico", in the February number of THE NOTRE DAME LAWYER, it was erroneously stated that Mr. William Guthrie, the distinguished New York lawyer, is not a Catholic. This was a mistake, as he is and always has been a Catholic; the contrary impression has gained wide circulation, owing to the modesty and reticence of Mr. Guthrie, who, like many another famous layman, does not advertise his religion nor seek to capitalize it for personal or professional purposes.