

CONFUSION has been rife ever since the American Revolution established the U.S. on a new concept—one that reversed the Old World dogma of sovereignty.

In the international field where the sovereignty issue most imperils life and liberty, there is such fog now that some who pride themselves most on being Sons or Daughters of the American Revolution are fighting today against the very principle of sovereignty that the Founding Fathers fought to establish. In the misguided belief that they are upholding the work of the Founders, they uphold instead the notion of sovereignty that George III fought for. Some veterans, and many other worthy citizens, have fallen into the same confusion. It has become, indeed, so widespread that some Senators and Representatives either suffer from this confusion themselves, or fear to help remove it.

"A frequent recurrence to fundamental principles . . . [is] absolutely necessary to preserve the blessings of liberty, and keep a government free," Pennsylvania's Declaration of the Rights of Man asserted in 1776. It is high time we did this in regard to sovereignty.

Sovereignty Before 1776. The concept of sovereignty which the American Revolution challenged ruled the world then even more than it does now. This concept held the State supreme, and reduced man to the role of subject, made him a mere cell in the body politic. Nearly everywhere the State then meant in reality one man, the Sovereign—otherwise known as King, Emperor, Kaiser, Czar. This Sovereign was alleged to have a divine right to rule absolutely, to be a law unto himself, as regards not only all foreign national Sovereigns, or Kings, but all the people of his own nation. In practice the Sovereign had to make some concessions, but in principle he accepted no diminution of his supreme or absolute power, his freedom to do as he pleased with all other men, both in domestic and foreign affairs. This concept of sovereignty was summed up most brutally and briefly by the Bourbon Louis XIV who said, "*Letat, c'est moi?*"—"I am the State."

True, the English Revolution in the 17th Century temporarily overthrew one divine right sovereign. But "about

the year 1770," as Lord Acton says in his *History of Freedom*, "things had been brought back . . . nearly to the condition which the Revolution had been designed to remedy forever. Europe seemed incapable of becoming the home of free States. It was from America that the plain ideas that men ought to mind their own business . . . burst forth like a conqueror upon the world they were destined to transform, under the title of the Rights of Man."

1776's Revolutionary Idea. Against the Old World dogma that Man is made for the Sovereign State, the American Revolution raised the principle that the State is made for Man—that sovereignty is lodged equally in every man, that the citizen is the supreme Sovereign. This new concept reduced the State from a sacred end in itself—a deity to which men should sacrifice their own lives and liberties—to the role of a mere means to serve Man.

In sweeping terms, the Declaration of Independence proclaimed its revolutionary principle of sovereignty—"that all men are created equal; that they are endowed by their creator with certain inalienable 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; that whenever any form of government becomes destructive of these ends it is the right of the people to alter or to abolish it, and to institute new government. . . ."

The Daughters and Sons of the American Revolution—and the far larger number of citizens who, like Lincoln, feel a spiritual rather than a blood relationship with the Founding Fathers—may be excused for the confusion that tricks them into fighting for George III's concept of sovereignty in the fond belief that they are upholding the Declaration of Independence. There is this extenuating circumstance they can plead today: The majority of the Founding Fathers themselves fell for a while into the same confusion, and some of

them, such as Patrick Henry, never thought their way out of it.

How Confusion Arose. Through confusion, the Founding Fathers abolished at first only half of the George III concept of sovereignty. As regards their domestic affairs, the people of each of the 13 States made State government subordinate to them. But as regards the foreign affairs they had in common with the citizens of the other 12, they clung in each State to George III's idea. Taking the State instead of citizen as sovereign----- as we have done in the Atlantic Alliance—they formed the alliance of the Articles of Confederation.

In their confused Confederation, the Americans operated simultaneously on two opposing principles: The citizens governed their common affairs within each State on the principle that the citizen was sovereign and the State was made equally for the people in it, but they governed their common affairs with other States on the principle that the State was sovereign and the people were made for the State. In other words, they sought to preserve their citizen sovereignty, as the supreme purpose of government, by a system whose supreme purpose was, instead, to preserve the State's sovereignty.

It is understandable that the Founding Fathers should have become confused over sovereignty. The concept of citizen sovereignty was then so new they had no name for it. Moreover, they had to deal not merely with States that shared this concept but also with nations that upheld the opposite idea—the dogma that the Royal Sovereign was a law unto himself.

The people of the 13 States obviously could not govern their affairs with their ally, the King of France, on the basis that the people were sovereigns there. They had to base their relations with such nations on the Old World concept of sovereignty. The people in each of the 13 States unthinkingly slid from this necessity into the notion that they must

King Nation or King Citizen?

By CLARENCE K. STREIT

The Confusion Over Sovereignty

deal with the other 12 States too on the same principle which they had to apply to States whose people were not its Kings.

How Confusion Continues. The same confusing situation that befuddled the American people in the 18th Century exists for the people of each of the Atlantic democracies now. The sovereign people of the U.S., Britain, France and other States of Atlantica obviously cannot govern their relations with the Soviet Dictatorship by the theory that the citizen is the real sovereign in the Communist Empire. They must deal with Moscow on the basis of the Kremlin's concept of national sovereignty. But the people of these Atlantic democratic States are now upholding this concept against each other, too, even in their joint efforts to preserve their citizen sovereignty from being overthrown by this Kremlin concept which makes Man the slave of the State. This confusion makes no more sense now than it did when the 13 States fell into it. It divides freedom against itself no less dangerously now.

Sovereignty in Federal Union. The Founding Fathers came to their senses before the confusion over sovereignty had led to anything like the massive dangers which it has already produced for the people of the Atlantic Community in our day. They sent delegates to the Federal Convention in Philadelphia in 1787 to explore how to reorganize the relations of the 13 States on a basis that would make the government of their common affairs serve the lives and liberties of their people, instead of the sovereignty of their States at the expense of the citizens. The result was the U.S. Federal Constitution.

By Federal Union, the American people doubly maintained the principle of the sovereignty of the citizens of each State. First, they effectively placed the united power of all the 13 States behind the right of each State to govern its domestic affairs independently. At the same time they established the sovereignty of the people of the U.S. as a whole,

so that the citizens could govern their inter-State affairs by the same principles they used for governing their domestic affairs. As an adjoining box reminds us, this simple but revolutionary change was achieved only after such clear-headed, courageous leaders as Washington, Hamilton, and Madison had tackled head-on the false Old World concept of sovereignty which had slunk like a wolf in sheep's clothing into the 13 States, much as it is fooling the people of the free Atlantic Community now.

Creating U.S. Sovereigns. When the people of the 13 States applied the principles of the Declaration of Independence to establish their Federal State, they surrendered none of their sovereignty as citizens. To set up their State governments, they had delegated certain portions of their citizen sovereignty to the representatives they elected to its government. In setting up their Federal Government, they simply transferred to the men they chose to represent them in it, certain powers which they had previously delegated to their State Government. They merely shifted some jobs

from one set of agents to another, while remaining boss of both.

When the citizens of Pennsylvania agreed to transfer power over defense from the State to Federal Government, their representatives in the State Government lost power. But the people lost none, since the citizen retained exactly the same sovereign vote in choosing those to whom he delegated his power, whether in the Federal or the State Government. Thus the Founding Fathers made the citizen of every State a U.S. sovereign, too, and sacrificed none of the revolutionary American concept of sovereignty in establishing their Federal Union. But the present American generation has been sacrificing this sovereignty tragically, increasingly—by refusing to go forward with it.

Sacrificing U.S. Sovereigns. If you agree that U.S. sovereignty is not vested in the President or the Government but equally in all the citizens, then every citizen who is burdened with excessive taxation is sacrificing that much of his share of the national sovereignty. Every citizen who is drafted into the armed services is sacrificing another big portion of his share of the national sovereignty. And every citizen who is slain in war is sacrificing all the rest of his share of U.S. national sovereignty.

Look at the way we Americans are

Washington, Hamilton, Madison on Sovereignty

"A THIRST FOR POWER, and *the bantling, I had liked to have said monster* [his emphasis! for sovereignty, which have taken such fast hold of the States individually will . . . form a strong phalanx against it [the proposed Federal Government]. . . . Yet I would fain try what the wisdom of the proposed Convention will suggest. . . . It may be the last peaceable mode. . . . My name is in the delegation to this Convention."—*Washington, March 10, 1787.*

"As States are a collection of individual men, which ought we to respect the most, the rights of the people composing them, or of the artificial beings resulting from the composition? Nothing could be more preposterous or absurd than to sacrifice the former to the latter."—*Alexander Hamilton, in the Federal Convention, June 29, 1787.*

"Was then the American Revolution effected . . . was the blood of thousands spilt, and the hard-earned substance of millions lavished, not that the people of America should enjoy peace, liberty and safety, but that the government of the individual States . . . might enjoy a certain extent of power, and be arrayed with certain dignities and attributes of sovereignty? We have heard of the impious doctrine in the Old World, that the people were made for kings, not kings for the people. Is the same doctrine to be revived in the New in another shape—that the solid happiness of the people is to be sacrificed to . . . political institutions of a different form? . . . As far as the sovereignty of the States cannot be reconciled to the happiness of the people, the voice of every good citizen must be, Let the former be sacrificed to the latter."—*James Madkon, No. 45 of The Federalist, 1788.*

now sacrificing the citizen's sovereignty.

In 1938 the bill for U.S. defense amounted to only \$16 a citizen. Now it is \$256 for every man, woman and child—16 times as much as it was before the worst war in history. In 1938 no American citizen was subject to draft. Now millions are drafted and subject to draft. In World War I, the U.S. called into the services 4,609,190 men, of whom 53,403 were killed in battle. In World War II, 15,513,657 U.S. citizens were called into the armed services and 293,105 sacrificed in battle their entire share of the nation's sovereignty. All this adds up to an appalling sacrifice of U.S. sovereignty.

How much more of U.S. sovereignty will be sacrificed by the cost of a third World War, with taxation already so high, and the dollar's value already halved by war?

How much more of the citizen's sovereignty will be sacrificed in military service by World War III, with so many drafted now?

How many, many more Americans will sacrifice all their share of the national sovereignty in the third World War toward which we are steadily moving, despite all this taxing and drafting—a war in which millions can be killed by a single H-bomb?

We Atlantic Federal Unionists are anxious to prevent more fearful, flesh-and-Mood sacrifice of national sovereignty than our nation has already suffered. We want to save the real sovereigns of this republic, and of every democratic nation. We are not pacifists; we realize that some sacrifice of liberty and even of life is necessary to preserve freedom. We want to save the citizens from *unnecessary* sacrifice and make them stronger sovereigns. We believe this can be done by extending U.S. federal principles around the North Atlantic.

Washington Warned. To keep from sacrificing needlessly the sovereign citizens, Americans, in particular, should be ready to sacrifice the power of those who now govern them: The Founding Fathers set the example. They sacrificed the sovereignty of King George III when they set up their independent State Governments. Then they sacrificed some of the sovereign powers of those State Governments when they set up the Federal Constitution. George Wash-

ington foresaw that this second move would be opposed by those who lost power by it, just as the revolution before it angered the British Sovereign. Referring to the proposal to federate the 13 States, Washington wrote in a letter to Henry Knox dated Feb. 3, 1787.

"I believe that the political machine will yet be much tumbled and tossed, and possibly be wrecked altogether, before such a system as you have defined will be adopted. The darling Sovereignties of the States individually, the Governors . . . the Legislators . . . whose political consequence will be lessened, if not annihilated, would give their weight of opposition to such a revolution."

Some of the Governors and legislators of the 13 States tried hard to make the people believe that their loss of power was a loss to the citizens. But the people were not fooled. They saw that the Federal Constitution simply transferred some powers which they themselves had given their State officers, to Federal officers whom they retained the same right to elect. They didn't mind lessening the "political consequence" of their State representatives so long as they, the people, gained in the process.

The establishment of an Atlantic Federal Union, it must be said, would lessen the political importance of the President of the U.S. and of U.S. Senators and Congressmen. Certain powers they now have over the citizens would be transferred to the Executive and Senators of the Atlantic Union Government. But the citizens would remain the sovereigns who elected them all.

It is natural that Senators should not want to lose any of the power the citizens have given them. It is understandable that they should be more concerned with the government's sovereignty than with that of the citizen. Senators and Representatives who favor Atlantic Union are therefore indeed unselfish statesmen.

Present Pioneers. Members of Congress who favor Atlantic federation represent not only the people who elect them, but the pioneering American spirit and its concept of national sovereignty. Each is willing to sacrifice some of the present official power he has if his constituents find this will help secure their own life and liberty, prevent further sacrifice of their sovereignty as citizens,

give them each more power individually.

Such Senators and Representatives would have you explore carefully whether you might not reduce your tax burden, lessen military service, and save your family and freedom from extinction by sacrificing instead some of their official power and giving it to some other representative you elect to an Atlantic Federal Union. It is evident from what George Washington wrote to Knox in 1787 that, were the Father of this Country alive today, he would warmly applaud this self-sacrificing stand—not the view of sovereignty taken so selfishly, or thoughtlessly, by other Members of Congress.

To Cain Sovereignty. You would not only sacrifice none of your sovereignty as a citizen but would gain sovereignty through an Atlantic Union. Let Americans remember this: When the sovereign citizens of your State approved the Federal Constitution, they remained not merely the sovereigns of their State but gained citizen sovereignty in another State, a much greater State—the United States—where before they had no vote, no sovereign rights.

Similarly, when you help constitute an Atlantic Federal Union, you retain your sovereign right to govern your State affairs as you please, and your national U.S. affairs as you please, without the interference of anyone in England, France or any other member of the Atlantic Union. But you gain another, greater sovereignty: You become one of the equal sovereigns of the United States of the Atlantic. You gain as much direct voice in handling all Atlantic world affairs as you gained in American national affairs through the U. S. Federal Constitution, and in your State affairs through the establishment of your democratic State Constitution.

Far from surrendering any of your sovereignty as a citizen by constituting this Greater Atlantic Union, you gain sovereignty, power, rights; you gain a vote where you personally have none whatever now—and you gain this citizen sovereignty in the very fields where you need it most, the fields on which peace and war depend.

What Powers? What are the fields you would begin to help govern through your representatives in an Atlantic

Union Government? Its creation would involve no change whatever in the structure or powers of any State Government. Nor would it involve any change in the basic structure of the U.S. Government. It would involve only the transfer of certain powers from the U.S. Government to the Atlantic Union Government. Which powers? *At most*, only those powers which the people of the 13 Original States transferred from their State Governments to their Federal representatives when they replaced the Confederation with the Constitution. By this transfer they created not only a common citizenship, but a common defense force, a common foreign policy, a common currency and the great common free market which has been the making of American prosperity.

How Citizens Win by Union. The citizens of all the 13 States gained in sovereignty not only by becoming sovereign citizens of the U.S., but by all the other transfers of their delegated power from the State to the Union.

Consider how much the people have gained in all the 50 States by having a common U.S. force to defend their

individual liberties and their State rights. What if each State had to uphold the liberty and State rights of its citizens all by itself, be prepared to fight not only Old World dictators but neighboring States? Before the 13 federated, the troops of New York and of Massachusetts were massing on their frontier, threatening war over Vermont. What taxes, military service and war we would suffer now if each of our 50 States had to defend its rights alone!

Consider the gain to all the citizens of all the 50 States from having a common foreign policy. Let any American ask himself: What if my State could have a tough policy toward Soviet Russia, while neighboring States could appease Moscow? Before the 13 federated, when Massachusetts closed its ports to British ships, Connecticut welcomed them, made the most of this chance to get business—much as the British recognized Red China when the U.S. refused to . . . while the master of the Kremlin chuckled scornfully, and attacked the divided democracies, first in Korea, then in Indo-China.

Consider the gain to all the citizens of the 13 States when federation freed

them from the vexation and cost of doing business with 13 currencies. Think of the enormous advantages we Americans now have from having one currency throughout the 50 States. . . .

Consider how much American citizens everywhere gained when federation removed the tariffs between their States, and allowed every American to sell whatever he had to sell in the highest market in the U.S. and buy whatever he needed in its cheapest market—all without any State Government interfering with his trade. How our American standard of living would be cut down if our States regained the "sovereign right" to vex the citizens with trade barriers as do the States of Europe. . . .

By every one of the U. S. transfers of power from the State to the Federal Government, the citizens in every state gained immensely, became much stronger, freer sovereigns.

How Far Now? How far follow now the U.S. example in constituting a great Atlantic Union other democracies? In my *personal* view, we should transfer to powers that the 13 States transferred to the Federal Government We know from experience combination creates prodigious power and freedom. We had better take no chances these days in having too little of either power or freedom if we wish to risk the lives of no more of our sons, sacrifice no more of our sovereign rights, and lives. That is my personal conviction. Others believe a Union as regards only defense and foreign policy would suffice for the present.

How far we should, and can, go depends of course not only on agreement among Americans but on agreement with the other democracies. The best way to reach agreement on this, and on other obvious problems that Atlantic Union involves, is to send delegates to a convention to thresh these things out with delegates from the other democracies, and have them report whatever agreement they reach back to the people for action by them. That is the way the U. S. Constitution was created through the Federal Convention that met in Philadelphia in 1787. And that is how the proposed Atlantic Exploratory Convention would tackle the problem.

The Sovereignty Battle in the 1787 Convention

"We are met here as the deputies of 13 independent sovereign States, for federal purposes. Can we consolidate their sovereignty and form one nation, and annihilate the sovereignties of our States who have sent us here for other purposes?"—*William Patterson of New Jersey, June 9, 1787.*

"Had the legislature of the State of New York apprehended that their powers [those of the delegates] would have been construed to extend to the formation of a national government, to the extinguishment of their independency, no delegates would have appeared on the part of that State."—*John Lansing, Jr., New York, June 16.*

"I cannot support the General Government at the expense of the State Governments, but will contend for the Safety and Happiness of the particular States at the expense of the U.S."—*Luther Martin, Maryland, June 18.*

"It will be said that if the people are averse to parting with power, why is it hoped that they will part with it to a National Legislature? The proper answer is, that in this case they do not part with power; they only transfer it from one set of immediate Representatives to another set."—*George Mason, Virginia, June 20.*

"As the separation from the British Empire, the people of America preferred the establishment of themselves into 13 separate sovereignties instead of incorporating themselves into one. . . . They are afraid of granting powers unnecessarily . . . lest the powers should prove dangerous to the sovereignties of the particular States."—*Luther Martin, Maryland, June 20, 1787.*

"Can we forget for whom we are forming a Government? Is it for *men*, or for the imaginary beings called States?"—*James Wilson, Pennsylvania, June 30, 1787.*

"This Magistrate [the U.S. President] is not the King. . . . The people are the King."—*Gouverneur Morris, Pennsylvania, July 19, 1787.*