Chapter II

THE STATE
Woodrow Wilson did not approach political science as merely the formal study of laws and institutions. He took a comprehensive, humanistic approach, considering it an interpretation of life, a study of one great department of human conduct. (1) To him political institutions were an outgrowth of the forces of human nature and the life of society. He defined political science as a subject which:

... deals with those processes ... by virtue of which states come into existence, take historic shape, create governments and institutions, and at pleasure change or discard what forms or laws they must in order to achieve development. (2)

Wilson's definition of political science, however, does not include everything that concerns the state. It limits


(2) Ibid., 188, a review by Wilson of A System of Political Science and Constitutional Law by J. W. Burgess. Wilson's view was influenced by those of Edmund Burke and Walter Bagehot. They had considered politics as a study of life and motive as well as of form and object. Burke had stated: 'Politics ought to be adjusted not to human reasoning but to human nature; of which the reason is but a part, and by no means the greatest part.' "Notes on Politics" File III-C, 20 April 1898, Woodrow Wilson Papers, Library of Congress, Washington, D.C. Hereafter cited as Wilson Papers.
itself to examining in descriptive terms political activity, institutional forms and independently exercised power not predetermined by rigid and normative rules of law. His interest is centred around the question of political reality rather than the question as to what the state should be. In his writings on political science Wilson's approach was pragmatic. He sought meaning of conceptions in their practical bearings. He believed that the chief function of thought is a guide to action. And that the truth is to be tested by the practical consequences of belief. He called politics "nothing more than the science of the ordered progress of society along the lines of greatest usefulness and convenience to itself." (3) Political institutions, he observed, are constantly changing in order to implement the goals of society. As society evolves, its needs, interests, aspirations, and even ideals of justice gradually change, bringing about corresponding changes in its institutions. Wilson saw no form of government nor system of law as finals; an institution should be retained only as long as it continues to serve its function in society.

To Wilson the study of the growth and development of political institutions was essential to an understanding of their nature. By an historical approach to the rise and

development of political institutions, he defined their nature, objects and functions, and their relationships to the individual. In *The State* (4) Wilson presented his most systematic analysis of society, state, and government. (5) His notes on "Philosophy of Politics" and his other writings, however, develop substantially the same view. In the evolution of social life he saw the growth and development of political life. He traced the organic development of national life and inquired into the growth of political ideas from their inception to their realization in objective institutions.

Since Wilson believed that the main European and American forms of government are Aryan and Semitic, he based his observations chiefly on a study of the political habits and ideas of those races. In the history of the Aryan and Semitic races Wilson found the family to be "the primal unit of political society, and the seed-bed of all larger growths of government." (6) While he did not deny the matriarchal


(5) In his writings Wilson often used the terms *state* and *government* synonymously. However, it is clear that to him a *state* is a political society, and *government* is its machinery. He sometimes loosely uses the word *state* when he means *government*, but he does not use *government* to mean *state*, that is, a political society. A *state* is "that other entity in which there persists a life higher than that of the government, and more enduring . . . which gives to the government its form and its vitality." It is this definition he has in mind whenever he uses the word *state*. *PPWE: College and State*, I, 189-90.

theory, he was a firm supporter of the patriarchal theory of the origin of government:

In every case, it would seem, the origination of what we should deem worthy of the name of government must have awaited the development of some such definite family as that in which the father was known, and known as ruler. Whether or not the patriarchal family was the first form of the family, it must have furnished the first adequate form of government. (7)

In the patriarchal family, the father was the source of all authority. As such he could exercise governmental discipline. This discipline would be impossible if there were no clear blood relationship. A clearly defined blood relationship was, therefore, the basis of organization and authority. Wilson accepted the theory that families constituted the earliest communities, and the organization of these families furnished the ideas in which political society took its root. The members of each family were bound together by the bonds of kinship. Anybody outside this group was considered an alien. The father was king and priest, the supreme authority of the family. Through adoption, an alien could become a member of the family. After being received into communion with the gods of the family, and accepting its fathers as his own, he assumed the most solemn duties and privileges of kinship. Kinship and religion were thus closely interlinked in primitive society. (8)

(7) Ibid.
(8) Ibid., 13-16.
When society grew and widened, families enlarged into a "House" or peng over which the chief kinsmen ruled. When families further expanded houses were absorbed and the tribe, "the first distinctly political unit," was born. (9) By this gradual process family rights tended to give way to the establishment of a common order, and the house became a unit of membership. In this natural widening of families there came a time when there was no grandfather or other patriarch to bind the society together. The authority of the actual ancestor was replaced by the authority of some selected elder. Here were the materials of "a complete body politic held together by the old fibre of actual kinship." (10)

One of the most important results of this system, Wilson felt, was the establishment of a code of life with religious sanction. Because primitive man considered ancestors as gods, every precedent acquired religious significance. Thus, anyone breaking the established precedents was violating the laws of the gods themselves. (11) As Wilson explained:

Precedent of course soon aggregated into custom, . . . a supreme, uniform, imperious, infrangible rule of life which brought within its inexorable commands every detail of daily conduct. (12)

(9) Ibid., 6.
(10) Ibid., 14.
(11) Ibid., 15.
(12) Ibid., 16.
Establishment of custom, therefore, brought a needed stability to social life. The tendency among all races has been for custom to become fixed. "Stagnation has been the rule, progress the exception." (13)

Nevertheless, changes did occur. Because of its nomadic life, the tribe gradually dispersed and each segment began to modify the ancestral customs. In time, each group developed a pattern of life different from that of its once-time kinsmen. When the segments of the tribe again came into contact with each other, they found themselves strangers to their own kinsmen. As a result, customs clashed. In the clash the most serviceable customs prevailed and the result was progress. (14)

Change also resulted from contact with neighbouring tribes. Less successful races tended to imitate their more successful rival neighbours. Immigration and conquest brought about further development, for both victor and defeated adopted some of each other's customs. This mingling of people with different ways of life created a more fluid society which gave greater opportunity for individual initiative. The interaction between tribes led to the breakdown of the supreme authority of the natural family. While the group continued to

(13) Ibid., 17.
(14) Ibid., 18-20.
be regarded as a family, the head of this huge family ceased
to be natural and became political:

The oldest male of the hitherto reigning family
was no longer chosen as of course, but the wisest
or the bravest. It was even open to the national
choice to go upon occasion altogether outside
this succession and choose a leader of force and
resource from some other family. (15)

Wilson summed up the forces that brought about changes in
custom:

... it was broken by war, altered by imperative
circumstance, modified by imitation, and infringed
by individual initiative; ... change resulted in
progress; and ... at last, kinsmen became fellow-
citizens. (16)

Because he saw political institutions as the outgrowth
of family and tribal relationships, Wilson rejected the
speculative theories of the origin of the state. Since he
considered mutual subordination rather than mutual agreement
the basis of authority, he could not accept the theory that
individuals created the state by a social compact. He
accepted with qualification, however, the emphasis which this
theory places on the role of man in establishing political
institutions:

Human choice has in all stages of the great
world-processes of politics had its part in the
shaping of institutions; but it has never been
within its power to proceed by leaps and
bounds. ... (17)

(15) Ibid., 23.
(16) Ibid., 23-4.
(17) Ibid., 534.
Wilson also rejected the divino-right theory which assumes human rulers to be the direct vicero-regents of God. Yet he accepted the theory's assumption that government is a part of man's original makeup. Government was spontaneous, natural, twin-born with man and family, but once arisen government was affected by man's choice not to originate but to modify. (18)

Although he accepted the spontaneity of the birth of government as described by the divino-right theory, he did not concede that government would grow by itself. Land, he felt, must necessarily take the initiative for its growth and development. But he pointed out that government must not be changed too rapidly. His statement, "Institutions, like morals, like all other forms of life and conduct, have had to wait upon the slow, . . . formations of habit" (19) is suggestive of an evolutionary process in which man is a partner and co-architect of the historical development.

Though Wilson observed that the process of political development had made a radical difference between the structures of ancient and modern states, he believed that the same basic principles underlie all types of political organization. The authority exercised by the primitive community was not limited territorially since the group was still in a

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(19) Ibid., 534.
wandering stage. Consequently, the primitive community conceived of the state without territorial limitations. Primitive societies, according to Wilson, lived together because of their relationships; "they were not related because they lived together." (20)

The modern state, on the other hand, evolved into what Fricker called 'a People organized for law within a definite territory.' (21) In his notes on "Philosophy of Politics" Wilson analyzed each term of this definition. While he accepted the fact that all modern states were organized within a definite territory, he did not consider this as an essential feature of statehood. He pointed out that definite territory is "not an invariable feature of state life." He observed that "there have been long periods of history during which distinctly marked political life existed . . . notwithstanding the fact that the organized peoples did not remain fixed or stationary within definite territorial limits." (22) This statement is evidently not merely an observation of an historical fact but an expression of Wilson's own view that

(20) Ibid., 8.

(21) Ibid. In many textbooks of political science, this definition is attributed to Wilson but Wilson himself quotes in The State without indicating the source. In the manuscript of his "Philosophy of Politics," Wilson identified Fricker as the source of the definition. "Philosophy of Politics," File III-C, Wilson Papers.

(22) File III-C, 26 April 1898, Wilson Papers.
organization within a definite territory need not be the distinguishing characteristic of statehood. A comment made in a letter he wrote in 1893 substantiates this interpretation. In discussing definitions of the state he said it is more accurate to speak of the state as "a community of persons living under a common system of laws. . . ." (23) This definition makes no mention of definite territorial limits.

In other words, a state to Wilson was essentially a "people organized for law"—"a body of persons . . . habituated to living together, conscious of common ties and interests" who submit to the "maintenance of definite relationships and fixed rules of action, established privileges and duties."

"This law," Wilson commented:

... may be wholly habit, and based entirely on sentiment. It is in most stages if not in all an attitude of mind, compounded of reverence, fidelity, sympathy, and fear—fear of disapproval, if not of punishment. . . . (24)

From his statements it appears that Wilson equated "distinctly marked political life of primitive society" with "State" and therefore considered definite territory "not an invariable feature of state life." Yet he could not escape the fact that territory had come to stay as one of the most important factors of statehood. Nevertheless, he laid greater


emphasis on the idea of community in the concept of state
than the organization of territory.

Wilson understood the term community not merely from
the point of view of structure but also function. It was not
just a geographical area, a system of inter-related economic
institutions and an independent framework of government but
a concept derived from ideas of process. He interpreted
social processes in terms of human nature; the dynamics of
society lay not in structure but in the interests, wishes,
desires and purposes of individual human beings in varieties
of social groupings. Wilson's concept of community seems
synonymous with the concept of society for he uses the term
in a societal sense. He holds the view of community both as
structure and as process in terms of the ways in which
governmental forces arise from social inter-relations.

In the sense of community rather than the organization
of territory Wilson saw the real basis of statehood. He
observed, however, that from a purely pragmatic viewpoint
statehood consisted in the possession of political power:

... whatever person or body of persons constitutes
the sole vital source of political power in a
nation, that person or body of persons is the
state, and is sovereign. (25)

In the first stages of the development of the modern state,
Wilson saw that political power did not reside in the
community but in an individual or a small minority. The

(25) PPWJ: Colere and State, I, 190.
first stage was that of monarchy, in which the will of the king was law and was in complete control of individual liberty; the king himself was the state. In the second stage minorities established themselves as a ruling class and wielded sovereignty. In the third, representatives of the majority held the political power and the people themselves thus became the sovereign state.

This process was one of the people gradually becoming the source of political power and gaining control of the government, that is, the governing organs of the state. At first the monarch controlled all phases of the government: legislative, executive, and judicial. Later the government no longer ruled by pure force; the rulers became aware of the need for getting people to co-operate with them. Then there was a period of agitation, showing signs of change. The government was faced with the leaders of the people who were bent upon controlling it. Finally, the people chose their own leaders who in turn constituted the government, the organization of force and authority in society. (26) In other words the people became the state, a self-conscious community which was the source of political power. This was . . . the adult age of the state, the organic people come

to its self-possessed majority and no longer in need of the
guardianship of king or aristocracy or priesthood." (27)

To Wilson, however, this was not the ultimate stage
of the development of the state. As early as 1887 he saw
the possibility of the nation state evolving into an interna-
tional organization. Teaching at Bryn Mawr, he said:

There is a tendency— is there not?— a tendency
as yet dim, but already steadily impulsive and
clearly destined to prevail, towards, first
the confederation of parts of empires like the
British, and finally of great states themselves.
Instead of centralization of power, there is to
be wide union with tolerated divisions of
prerogative. This is a tendency towards the
American types— of governments joined with
governments for the pursuit of common purposes,
in honorary equality and honorable subordination. (28)

To Wilson, therefore, the state was an organized society
evolving from a primitive non-territorial to territorial state
and ultimately to an international organization. In his
discussion of the nature of society and the state he
formulated his views on the role of the individual in society
and the purposes of the state.

Since Wilson saw the state as the outgrowth of family-
tribal relationships, society to him was "compounded by a
common habit and is an evolution of experience, an interlaced
growth of tenacious relationships, a compact living whole,

(27) "Notes on Philosophy of Politics,"
File III-C, Wilson Papers.

structural not mechanical." (29) Society is also "an association of individuals organized for mutual aid," the various members coordinating their activities for "mutual aid ... to self-development." (30) Society functions as the various types of social groups in which human nature and its impulses are expressed. The origin of these impulses and the principal conditioning factors in their expression are psychological. The interaction of human beings and the interplay of human motives are the fundamental facts of social life. The permanent results which this interaction achieves and the influence it bears upon the individuals who take part in it, constitute the basis of social evolution. (31)

Thus, without individuals society does not exist. The individuals themselves are modified by their social relationships, for it is in society that they realize the greater part of their own achievements. Each individual can achieve his goals, however, only if there is harmony between his claims and those of his neighbours. Social development, then, involves the harmonious development of the constituent members of society. The level of society depends upon the quality of social interaction which characterizes each of

(29) The State (Boston, 1889) 576.
those groupings and their consequent inter-relationships. The individual in a modern society derives his status from his relationship to functional groups. His personality and his interests are made effective in so far as they represent themselves in organized forms.

To Wilson, "society is also an organism and government an organ" (32) of society. An organism is a whole consisting of interdependent parts. Each part sustains the rest and is sustained by them, and through their mutual support comes a common development. So each individual sustains society and is sustained by it. Mutual self-development is possible, therefore, only if social and individual interests are harmonized. Thus a society constitutes a whole whose parts are mutually dependent or intrinsically related having systematic coordination, but not having the character of an organism in content and form where outside the whole, neither element has any relevant meaning. He did not conceive of society as a super-individual organism made up of ideas, beliefs and volitions, or as an entity analogous to a biological organism and therefore subject to the same stages of birth, maturity and death.

Thus, in his organic concept of society, Wilson did not visualize an irresponsible, omnipotent social organism in

(32) The State (Boston, 1889) 576. It must be remembered that this analogy is simply a metaphor and Wilson himself cautioned against pressing it too far since politics is not physics and the analogy is risky.
which individual interests are submerged. His continual struggle was to find the right balance between the claims of the individual and society. Wilson faced the dilemma of reconciling between theories such as the organic theory, the mechanical theory and the democratic theory of the state that lay claim to explain reality only in a very partial and abstract way.

The basic principle of the organic theory is that society or the state is actually and not metaphorically an individual person. The state has thus an unqualified control over its subordinate members as in a biological organism. The machine theory implies that there exists within society a special piece of actual machinery which it is convenient to call the state. It suggests that state organization or the apparatus of government is something evolved by the common will of the community to promote a common good or to avoid a common evil. It asserts that society, though not an organism, is in some sense a natural growth. But authority is necessary for even with good will on all sides, mutual understandings are no longer enough to enable the community to function smoothly. The distinguishing mark of the state is the exercise of compulsory organizing power by a selected body of individuals within the community. The two main forms of the machine hypothesis are that the state is either a product of force or of consent. Wilson rejected force as a basis of
the state and therefore felt the need to recognize the democratic theory.

The democratic theory defines the state as an organization based on consent. It considers the individual as real and the state a contrivance produced by one or more human beings to control and govern the community within which it is created. It follows from this that whatever right of coercion any state possesses is conferred on it by individuals and is not generated automatically just by the fact it is a state. On the consent theory the individual has not merely a right but a duty to challenge, and in the last resort, to disobey the state legislation if it transgresses the limits laid down in the articles of association. No state based on consent can be conceived except within a theory of moral rules which bind its members; and the essential rule is that people should admit an obligation to keep contracts. All consent theories are therefore committed to the idea of equality as a matter of principle.

He tends to oppose the traditional theory of state sovereignty but does not. He takes into account the importance, interests and actual achievements of various associations smaller and more specialized than the state. But at the same time he accepts that the state has certain unique and final functions in respect of law. However, he
does not attribute superior moral or practical absoluteness of the state over the individual.

Wilson's conception of the state was as one organ of society. "The State," he emphasized, "exists for the sake of Society, and not Society for the sake of the State." (33) Nevertheless, by no means minimized was the importance of the state, for he called it "a Beneficent and Indispensable Organ of Society." (34) The organic nature of the state, he said, "is the historical form of the organic common life of a particular people, some form of organic political life being in every instance committed by the very nature of man." To him the state was "an abiding natural relationship, . . . the eternal embodiment and expression of a higher form of life which gives leave to individual life, and opportunity for completeness. . . ." (35) Because each society has its own characteristics, he saw that it will have "its own state; . . . its own form of organic life, its own functional characteristics, produced by its own development, expressive of its own character and experience in affairs." (36)

While Wilson thought in terms of the democratic theory of the state he did not consider that all states are purely

(34) Ibid., 60.
of one type or another. His pragmatic approach led him to conclude that it may be that from different points of view or for different purposes two or three different theories may fit the same state. Thus the democratic theory is not by far the only one nor obviously the right one; organic and democratic states are related to one another not as different types but as different stages in the growth of a single species.

In his opinion, the two primary objects of political society were order and progress. While he observed that order had been the main object of law in all societies, he thought that progress had been the object of only a minority of politics. Since this minority was so distinguished, however, he accepted progress as the ultimate object of all political action. Progress meant to Wilson an increasing mastery over nature and the development of an equitable social order. To him an equitable social order meant "a stable system of government and authority, in which law is clearly developed, regularly obeyed, and, as nearly as may be accommodated to existing needs and conditions and an advance from generation to generation in principles of humanity, justice, and mutual helpfulness." On the whole, he pointed out, "political society is conceived with progress only so far as law, its only instrument, may be made an instrument of progress." (37) Thus he considered law

(37) Ibid., 26 April 1898.
not in the light of its source, whether the state, the individuals conscience, or the community's sense of right, but with regard to its contents, tendencies or consequences. Law to him was independent and more comprehensive than the state. The legal validity of any act depended not upon its origin but upon the end which it served. The essential quality of law, according to Wilson, was its tendency to promote social solidarity and progress.

Because Wilson considered the state an organism, he did not see the problem of politics as "setting interests off against each other upon such a plan as that one cannot harm the other." (38) To him the problem was co-operation, and equitable balance between individual and corporate interests. (39) In his opinion, political progress consisted in "vital differentiation, that is, . . . the greatest diffusion of power and diversification of habit and vitality consistent with wholeness." The aim of the state he saw as "such a rational ordering of the public power as will best promote individual development and the development of society as a whole." (40)

In Wilson's opinion the chief goal of society was the development of a true human-being "... in whom there is a

(38) Padover, Wilson's Ideals, 43.
(40) "Notes on Administration," Ibid.
just balance of faculties, a catholic sympathy." (41) Such a man was warm, ardent, full of definite power, and steadfast, true of heart and capable of deep devotion and self-forgetfulness in his relation toward other human beings. (42) It is not enough for a man to possess these qualities; he has to use them with genuineness, with intelligence and spontaneity. He requires that Wilson called "... a sort of robust moral sanity," mixed of elements both moral and intellectual. (43) In this way a man "comes to himself," subordinating his own interests for the welfare of all. Christianity, he thought, was one of the most important factors contributing towards the higher development of the individual:

Christianity gave us, in fullness of time, the perfect image of right living, the secret of social and of individual well-being; for the two are not separable, and the man who receives and verifys that secret in his own living has discovered not only the best and only way to serve the world, but also the one happy way to satisfy himself. (44)

This view that social and individual well-being are inseparable is basic to Wilson's thought because he saw society as "an association of individuals for mutual aid to self-development;" he felt that in principle there should be


(42) Ibid., 58.

(43) Ibid., 59.

(44) Ibid., 70.
no conflict between the rights of the individual and those of the group. The proper sphere of state action was, therefore, a practical and not a theoretical problem. There must be compromises, and consequently a need for some sort of rule in accordance with which compromises are to be reached and enforced. Creating a right balance between individual and social welfare was, in Wilson's opinion, one of the highest goals of political society.