

organism in some important points, and differs from it in other equally important points. Hence what is true of a physical organism (man's body, for instance) cannot straightway be applied to the organism of society. In a physical organism the members exist entirely for the body; their activity is ordained directly for the common good. In a moral organism—such as society—there is also autonomy of parts and unity. But the autonomy of the parts is real and not merely apparent. The individual in society has his own individual end, directly given him by God. He is answerable to God alone, not to society, except so far as society is delegated with God's authority. The individual will be judged not merely as a member of society. He is not wholly immersed in society. Society exists in order to protect him and to help him to do certain things which he cannot do for himself. To assert, then, that we are members, or cells, or limbs of one organism, is to use an analogy supplied by St. Paul, and helpful as long as regarded merely as an analogy. The moment we argue that we are as wholly dependent on society for our life and destiny as the cell is dependent on the physical organism—we are talking nonsense. Catholics realise that they are members of living organisms. As Catholics they are members of Christ's mystical body, the Church, and as citizens they are members of the organised body called the State. But in no sense does any individual Catholic lose there by his personality. Neither by Church nor State has the individual been swallowed up or assimilated. Man does not exist merely as a cell in State organism. He is not merely what the eye, the hand, or the foot is to the human body. He is complete in himself, and were he to find himself alone on a desert island he would still be, in a very literal sense, a self-determining being, responsible to God for the things done in the body. Now, this fundamental error, this misconception of the State as a real, live organism, in which man is but a cell, is widely diffused, and, unfortunately, most detrimental. It colors lots of practical proposals, it distorts men's views of the individual, of the family, of liberty, and of property, and, consequently, of the very basis of society. This glorification of the State has, however, its humorous side. From certain testimony one would picture the new State as a very god in disguise, or at best the ideal superman: but, alas! stripped of its stage garb and warpaint, it proves to be a large co-operative body of political office holders, whose office symbol might be an axe to grind, a purse to fill, and whose fit motto might be: "We are the State."

Truth, then, compels us to admit that the whole nature of man has always corresponded to an authority higher than that of human government. There are certain basal rights so clear, so urgent, and so indisputable in their outcry that the undertone of their pleading runs through all the free expressions of the human mind, since thought has been recorded. The lowest tribe of savages claims some rights on the part of its members, apart from mere physical compulsion. It is the consciousness which the individuals, who compose the State, have of their rights and duties, that distinguishes between what governments may do and may not do, and what ought to be endured and what ought not to be endured. It is sheer nonsense to speak of the State as if endowed with a vital principle such as exists in the human body. The State has been set up, not to appropriate, but to protect; not to absorb, but to assist the rights of the individual man. The State is not a person in the strict sense of the word: it is a thing only, an institution with its limitations well defined. All human authority is derived from the consciousness of rights and duties. Every person has a sphere of private interests which all others must respect. Such are the rights of life, liberty, and property. There is something in the individual which force cannot reach and cannot change. There is always something reserved to the human soul which (within its range) is answerable only to the Creator. The law may take a man's life away, but the right to live is not granted by law. It is inherent or natural, and

can be forfeited only by the man himself. And the individual has not only the right to live, but the right to earn the means of living and to possess and enjoy the fruits of his industry—the right of property, in short. The idea that a citizen's property belongs to the State is the old idea that everything, including the citizen himself, belongs to the State. It is the old dogma of absolute sovereignty. You cannot organise human society upon any just principle without admitting the right of property as a consequence of the innocent exercise of individual powers of creating property. It is included in the right to liberty. The State—it cannot be told too often—is not a thing of unlimited power. The permanent security of the fundamental rights of the individual is necessary to constitute true democracy. There must be the guarantee of individual rights and liberties. It must be law for the lawmakers. It must be a bill of rights, but more than a bill of rights; it must place the bill of rights under a special independent guardianship, namely, the judiciary. Individual natural rights must not only be recognised in the constitution, but the constitution must be their organised defence.

Where shall we find, in modern times, such an ideal of true democracy carried out? In the United States of America. The permanent security of the fundamental rights of the individual is to be found in the American Constitution. The American idea went far beyond the British *Magna Charta*; for that declared that certain rights and liberties could not be taken away save by the law of the land. America proclaimed that there were certain rights and liberties which could never be taken away, even by law. It set these rights above the law. And here is where the American Constitution is unlike the constitution of any other country, as far as we know; for it is not, as other constitutions are, the mere frame and mechanism of administration, but the guarantee of individual rights and liberties. Other nations have written constitutions similar to the American, but not one of them has ever adopted the two really original features of the American Constitution. These original features are the renunciation of the absolute power of majorities over individual rights and liberties, and the institution of a judicial power to guard over the constitutional guarantees and prevent them from being overthrown by mere majority legislation. What the American system determined to achieve was to end for ever the idea that there is any depository of unlimited power—to crush for ever the error that anyone's will is law. It puts the rights of the individual beyond the reach of legislatures and executives. It puts legislatures and executives under the law, the fundamental law. Life, liberty, and property could not be taken away except by judicial process acting under the fundamental law. It distributed government powers so that no public officer could commit an act of oppression without rendering himself responsible for his action. Even the people themselves could make no law which encroached upon the rights guarded by the fundamental law. The executive executes the law, but he is bound by the law. The judiciary must declare what the law is, but it must maintain the fundamental law. There is no absolute authority anywhere.

A democracy—it may be justly remarked—unrestrained by a constitution is a despotism of the majority; and absolute democracy is as bad as any other form of absolute power. It can sweep away everything opposed to it and override all rights. It is no better than elective imperialism. An omnipotent majority is devoid of sense of responsibility. It is quite as likely to be influenced by passion as a single prince is. Unless it is controlled by a superior law, it can reduce men to slavery. The doctrine of the absolute sovereignty of the people, operating through an absolute majority, is as faulty as the doctrine of absolute individual authority. The divine right to rule rests no more with a number of people than it rests with one person. What concerns a people who are jealous of their rights is whether, in forming a government, their rights are protected against any sovereign power; what