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EDITORIAL

BERGER'S HIT NO. 1.

By DANIEL DE LEON

IT may be “stretching a point”—we are willing to do so in behalf of the “first Socialist Congressman”—to record as a “hit” Victor L. Berger’s proposed constitutional amendment on the procedure for amending the Constitution.

The *Congressional Record* of the transactions of Congress on the 19th of last month enters the resolution for the proposed amendment as follows:

“Joint resolution (H.J. Res. 71) providing for an amendment to the constitution of the United States,” and the *Volkszeitung* of the next day amplifies the *Record* by quoting the proposed amendment in full as follows: “Congress shall by majority vote of both Houses have the power to call a convention to revise and amend the constitution.”

In other words, instead of the present round about, and almost prohibitive procedure of Congress proposing amendments subject to the ratification of three-fourths of the Legislatures or conventions of the several states, and the original proposal of Congress requiring a two-thirds majority in Congress itself,—instead of all that Congress shall, by simple majority, be empowered to call a national convention with power to amend the Constitution.

While Berger’s amendment falls materially short of the ideal that is bound to be eventually reached, and which the genius of Thomas Jefferson projected more than a hundred years ago, nevertheless the proposed amendment is switched on the right Jeffersonian track, and is, moreover, in the spirit of industrial evolution.

Jefferson argued against the snobbishness of one generation presuming to bind the hands of a future generation. He branded as wrongful the principle whereby it is made hard for a future generation to undo the work which a previous generation did with less effort. Jefferson applied the principle to the amendment of constitutions. Each generation, he maintained, should be at a par with any previous one in the matter of deciding upon its own organic laws. Furthermore, drawing in a

breath from an Age far in advance of his own, the breath of Socialism, holding that a free people must be an alert people, Jefferson advanced the theory that the consent of any generation to the organic laws that rule it should not be a passive, but an active consent. Accordingly, Jefferson promulgated the principle that constitutions should expire at stated and not very distant dates, and should then be either expressly re-enacted if the people like, or re-modeled, as they may prefer.

We wish to credit Berger's proposed amendment with the Jeffersonian spirit. We wish to credit it with the intent of being a deliberate step in the direction of genuine freedom under the self-imposed restraints that civilized society demands.

Furthermore, Berger's proposed amendment is in line with industrial evolution.

The present required ratification, of three fourths of the Legislatures or of conventions of the several States savors, on the political, of the backwardness of Craft Unionism, on the economic field. It savors of the moss-back autonomous individualism that fetters man, preventing him from developing the capabilities of his species. What Craft Unions are in this country, the several States have become. The injury that Craft Unionism now is to the Working Class, distinct Statehood is, to-day, to the citizen. As Craft Unionism was the shell within which Industrial Unionism had to develop, so was distinct Statehood the shell within which the National Chick was to be hatched. Finally, just as, on the industrial field, the one-time myriad sacrosanct Craft Unions are on all hands cracking and tending, however gropingly, to transform into one Industrial body, so is the day bound to come when the forty-and-odd Statehood varieties are to merge into one.

Whether Berger's proposed amendment—the wiping out of separate State ratifications, and providing for one National Constitutional Convention with power to amend—is or is not consciously responsive to the Socialist trend of the times that demands the wiping out of Craft and the instituting of Industrial Unionism—however that may be, we gladly credit him with the purpose of intentionally rendering the Constitution more readily responsive to the progressive sentiments of our people.

Let this go as Berger's hit No. 1.

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