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An Approach To Progressive Policy

ALUMNI DAY ADDRESS

By ABE FORTAS, '30



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He was born in Memphis, June 19, 1910. He attended Southwestern on an Israel Peres Foundation Scholarship, graduated A. B. with High Honors in 1930, received a scholarship from Yale School of Law, was editor-in-chief of

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He was Assistant Professor of Law at Yale Law School from 1933-37. He has served as Assistant Chief, AAA, Legal Division; as Assistant Director and later as Consultant of the Securities and Exchange Commission; as General Counsel of the PWA; as General Counsel of the Bituminous Coal Division and as Director of the Division of Power of the Department of the Interior. He was Under Secretary of the Interior from June 1942 to January 1946. While in the Department of the Interior, he was also Acting General Counsel of the National Power Policy Committee and Secretary of the Petroleum Reserves Corporation.

He was Adviser to the United States Delegation to the United Nations (San Francisco and London), was a Member of the President's Committee to Study Changes in Organic Law of Puerto Rico, Director of the Virgin Islands Company, a Member of the Board of Legal Examiners, U. S. Civil Service Commission and a Member of the Food Advisory Committee.

Mr. Fortas was named one of "ten outstanding men of the year" in the 1945 annual competition held by the United States Junior Chamber of Commerce. He was Alumni Day Speaker at Commencement, 1946.

AN APPROACH TO PROGRESSIVE POLICY

*Alumni Day Address delivered at Southwestern at Memphis,
June 3, 1946, by the Guest of Honor, Abe Fortas, '30*

Since I left Southwestern sixteen years ago, I have followed its development with the keen interest and solicitude which affectionate remembrance inspires. I have seen Southwestern survive perilous turns in the road, and I have seen it grow stronger.

An institution of higher learning in the South faces a peculiar challenge. It serves and is served by a culture which in economic and social terms is old, as we count age in this country. Here in the South we no longer have the virgin soil or the malleable institutions of a frontier land. A college of the South, therefore, cannot cut its cloth entirely to its own taste. A community pattern is here, always to be taken into reckoning.

But the existing pattern does not present the challenge. It is easy enough for an individual or a college to fit into the pattern of what is—or rather, what seems to be. The challenge is posed by a new kind of frontier—the frontier created by the technical revolution which our science and skill has brought about, and by the political, economic and social revolution which is impending in this country and throughout the world. Upon the pattern of the past, the events of today and tomorrow, like jagged lightning, are beginning to trace their burning trail.

A new world is being born about us. How different is Memphis today from the city of sixteen years ago. This great, thriving industrial metropolis is no longer a community of the story-book South. Many of the old and lovely folk-ways it has retained; but it has of necessity acquired some of the quick aggressiveness which the machine exacts of its so-called masters. From the new economy, new folk-ways necessarily proceed. With economic change, social and political adjustments inevitably come.

And how different, too, is the world of today from that of 16 years ago. Today the world is in the grip of terrible famine. Today over the entire earth the spectre of Fascism, oppression and violence stalks again, treading the very fields in which its victims, conqueror and conquered, lie side by side.

It is true that hunger was with us 16 years ago; it is true that in those days the ugly rise of Fascism had become manifest. But the menace of these scourges now has a new and dreadful urgency; an urgency which arises from the fact that conflict today has a new horror: man's skill at human destruction has reached a point of ultimate per-

fection. And man's lack of wisdom to avoid the use of these weapons of destruction threatens the very existence of the human race.

Man's technology has so far out-stripped man's sociology that we are like a child who knows how to kill but is completely ignorant of the Sixth Commandment. In our domestic economy we have the technical skills to produce a wealth of goods sufficiently great to raise the standard of living of all of our people, and indeed of a large portion of the people of the world.

In the world, distances have been conquered. It is almost as easy to talk with Paris or London or Copenhagen as it is to talk with someone in New York; a long weekend visit to the British Isles or Latin America is not merely a possibility, it is now a moderately frequent occurrence. The wonderful things and the wonderful people of any nation in the world are accessible to any other nation in a matter of hours.

But in the world as within our own country, these marvels of man's skill have resulted not so much in prideful joy as in trembling fear and suspicion. We know that the airplane that can transport the wondrous beauty of perishable flowers from one continent to another can also carry a load of deadly atomic bombs; and we know that it will carry bombs or flowers with equal precision and similar disdain.

The inescapable conclusion, then, is that man's social intelligence is woefully and perhaps fatally deficient. He is demonstrating a marvelous capacity to utilize good things for bad purposes, and to fail fully to reap the benefits of his own invention.

It is in the international situation that we are all most sharply aware of the critical stage of this maladjustment. We see on the one hand a fearful race to exploit the death-dealing properties of atomic energy. We see on the other hand a clash of increasing bitterness between the two great powers of the world—the United States and the Union of Soviet Socialist Republics. To many of our people this clash seems to be the prelude to the most devastating war that the world has ever seen; and to many it seems that to avert this war is a hopeless endeavor.

With these prophets of inevitable doom I am unwilling to agree. We cannot and we must not admit that war is inevitable—whether it be the infernally destructive conflict of international warfare, or the corrosive combat of domestic strife. It is true that domestically the problems seem simpler because they are primarily within our own control. Given the intelligence and the courage, there is no force outside of the boundaries of this country which makes impossible the solution of conflicts among our own people; between negroes and whites, capital and labor, the rich and the poor.

But internationally we are not to the same degree masters of our fate. We cannot alone create a new and better order for the world, even if we had the genius and the will to do it. World peace and progress must of necessity be based upon compacts with other nations and other peoples, and particularly with the Russians. The critical issue for us in world affairs, then, is whether, without surrendering the essentials of justice and decency, we can arrive at a mutually satisfactory compact with other nations, and with Russia.

Our bitter, acrimonious conflict with Russia has reached the point where the United Nations is becoming little more than a Madison Square Garden in which the people of the various nations can watch the desperate fight for the championship of the world. In fact, if not in form, the United States and the Soviet Union have withdrawn from the United Nations. The formal withdrawal of Russia is not unforeseeable.

We cannot, of course, bid for peace at any price. We will not, of course, give to Russia or to anyone else a blank check. We must hope and insist that Russia will do all that she can to terminate the desperate and dangerous debate which is taking place. But, at the same time, we must make sure that we are doing our utmost to arrive at an agreement and to assure the peace and progress of the world.

I do not think that we have done all that can be done towards this end. I do not think that in the world of today the policy of our Government has provided the dynamic force towards the creation of a stable and beneficent world which is required of us because of our position as the greatest power on earth. And within our own country, I do not think that we can correctly say that we have done all that we should do to resolve the tensions and conflicts—economic and social—which exist among our own people.

I think that there is a common basic reason in both international and domestic affairs why we have not done all that might be done to avoid difficulty and disaster. We have allowed ourselves to be dominated by the single objective of maintaining the status quo. We have been afflicted by the malignant disease of *status quoitis*.

We have been prosperous, comparatively secure, well fed, comfortably housed, and blessed with a large measure of the good things of life. Domestically, the years since 1933 have been years of prosperity—a volume of prosperity which has overwhelmed the growing cry for social and economic recognition of our people who are in an inferior status in our scheme of things. Internationally, our lot has been cast with those who have enough land, enough resources, and not too many enemies. Change has not appeared to be to our advantage. On the contrary, it has seemed to threaten the existing state of affairs in which we enjoy comfort and a relative degree of security.

We are, in short, the aristocracy of the world, fearful and naturally opposed to drastic revision. And within our own borders so many of us have been secure and prosperous that we, too, have become insensitive to the clamor for revision of those who are less fortunate, and whose ranks will grow with tremendous rapidity if and when there is another serious depression. We have shut our minds to the truism that the fortunes of those who have are dependent upon the welfare and the security of those who have not.

Internationally, our insistence upon the maintenance of the status quo, by and large, has come into sharp conflict with the assaults which the Russians have launched on the state of things as they are. In their eager search for ideological and physical security, for resources and power, the Russians have too often been rash and intemperate. They have felt that our insistence upon the maintenance of the status quo amounted to a policy of maintaining in power the degenerate states and governments of a Fascist era, whose primary objective, they assert, is to crush the Soviet Union.

I believe that the Russians grievously misconceive the motivation of our policy. I do not believe that we are deliberately supporting those bent upon the destruction of the Soviet Union. I do not believe that we are deliberately seeking to maintain in power the derelict representatives of European Fascism. But on the other hand, I do not believe that our policy as yet fully reflects the fact that titanic changes are taking place in the world; that the people are on the march; and that it is hopeless and reckless to seek to make a compact with them and the Soviet Union in terms of a world that no longer exists, or to seek to win their allegiance to a theoretically free way of life, based upon their ancient misery and degradation.

Perhaps the basis of a liveable world may lie somewhere between the two; between the headlong, heedless rush of the Soviet Union to disrupt and dominate the world, and the steadfast, rockbound insistence of the United States upon the maintenance of the world as it is—or even as it was before the war. And I suggest that we are not justified in sulking in our tent and in blaming our failures on any other nation until we have adjusted our vision and our policies to the facts of the world of today and tomorrow—a world in which the people are on the march in a desperate search for a better life. We cannot and we will not agree to a world dominated by the Soviet Union or any other nation, but we cannot and we should not offer as our alternative the dismal prospect of degenerate governments and desperate peoples, cowering or blustering within the confines of their ancient walls.

Democracy does not demand this negativism. Democracy is not impotent. Democracy does not require that we offer to people only the impossible alternative of working out their own destiny, sink or swim.

This is not democracy and it is not liberalism or realism. And certainly in the world of today our insistence upon maintaining the drab and miserable status quo cannot compete with the dynamic promise of Communism—however unpleasant it may be to us. The people of the world are sick. We are like the physician who approaches them and says that he will give them enough food to keep them alive, and the Russians are like the physician who says that if they will take his prescription he will make them well and sturdy—better than ever.

In short, we must be willing to participate actively and aggressively in the making of a new world. We must not merely be willing to insist that the people of Fascist and semi-Fascist countries select their own governments. We must give positive help in the selection of progressive, democratic, and able governments which will operate in a free world for the advancement of their people. We must not merely be willing to send them food, laudable as that is. We must help them by loans, goods, skill and trade opportunities, to build up their own economies and improve the living standard of their people. We must not merely insist upon democracy's bill of rights. We must take positive measures to enable the people of these nations to secure the economic basis of democracy and to realize its full benefits in terms of a better and freer life. And we must not adamantly insist upon the preservation of familiar boundary lines upon the map, upon the sharp separation of people by those lines, or upon the divine right of ancient governments. We must not so cherish the customary as to refuse in any situation to support that arrangement which is best for the people concerned. We must pitch our policy in terms of people, not governments.

Non-intervention in the internal affairs of other people has its place in our foreign policy, but its place is not the devastated nations of the world in which we have already intervened by force and violence.

It seems to me that our domestic problem and specifically the problem of the South must also be dealt with positively. We must be wise and bold enough to take affirmative measures before our problems overwhelm us. We must not fall into the trap of assuming that what is must be divinely right and must at all costs be protected from change. We must seek a full understanding of the forces that are at work in this country, of the tremendous upsurge of the aspirations of the common man. We must realize that in this country of ours the democratic and constitutional promises of opportunity for liberty and the pursuit of happiness are not the exclusive possessions of a few. They are the rights of all.

On the economic front we must bring ourselves fully to accept the basic doctrine of Franklin Roosevelt: that the nation as a whole has an inescapable responsibility for each of its people: a responsibility to

afford them the opportunity to earn a decent livelihood on a scale which increases as the economy prospers. The laborer is worthy of his hire, and he who is willing to labor is worthy of an opportunity to earn his hire.

For what lies immediately ahead, each of us has an inescapable responsibility. Community problems and the problems of the world to a substantial degree come down to a question of the attitude of individuals and the relations of individuals, one with another. And in this primarily lie the challenge and the opportunity of institutions like Southwestern. The individuals who emerge from Southwestern are and should be the leaders in their communities. They are among the people who will bear the shock of active participation in the making of tomorrow's nation and tomorrow's world.

It is not necessarily the responsibility of Southwestern to participate in the front lines of the battles that lie ahead; but it is Southwestern's responsibility — and that of every institution of learning, every church, and every place in which men assemble—to help to prepare men and women to fight the good fight. That means that Southwestern must not and cannot devote itself merely to an understanding of the past. It must attempt to read the future as it reads the past. It must deal with tomorrow's problems as well as those of yesterday. Its primary task and its great opportunity is to teach those who enter its walls the principles to which Southwestern has dedicated itself: of compassion, of understanding and of justice; and by teaching them to understand—with compassion and fairness—to enable them to cope with the problems of an agonized world.

With vital and progressive education in the South; with a progressive and courageous attack upon its economic, political and social problems; with a willingness to discard infatuations with the past and to rid itself of *status quoitis*, the greatness of its past and the promise of its future can be put to the service of its people and the world. This is a task in which Southwestern can substantially share. It has been firmly launched and dedicated to the service of mankind. It has devoted itself to the cause of understanding and cultivation of the spirit and conscience as well as of the mind. Given the support of its community, given a continuation of the vigilant and sympathetic leadership that it has had under Dr. Diehl and his associates, it can assume an increasingly important role in the South and the nation.