SECTION 4/The Advance of Liberty

Focus Questions

- How did political struggles in England limit the monarchy and encourage exploration of basic democratic principles? *(pages 18–19)*
- What were the main ideas of the philosophes and other Enlightenment thinkers? *(pages 19–21)*
- Why was the establishment of the United States of America a victory for democratic ideas? *(pages 21–25)*

Terms to Know

divine right
Glorious Revolution
Enlightenment
Scientific Revolution
philosophe
federal system
separation of powers
checks and balances

By the 1700's, many people promoted democratic ideas such as individual worth, liberty, equality, reason, and justice. Yet no nation in modern history had successfully put those ideas into practice. In England the foundation had been laid, but it was not until the birth of the United States of America that democratic ideas became a vital element in the structure of a government.

The Struggle for Limited Monarchy in England

"Divine right" and the power of Parliament. In the seventeenth century, monarchs were asserting greater authority over lords than they had during the Middle Ages. Kings claimed not just the right to rule but the right to rule with absolute power, and they backed this claim with the assertion that a king's power comes from God. This assertion was known as the theory of the **divine right** of kings. Advocates of divine right said that monarchs are chosen by God and responsible only to him. To challenge the authority of the monarch in any way, therefore, was a sin. One of the most forceful defenders of the divine right of kings was James I of England. King James made this statement in a speech before Parliament in 1610:

> "The state of monarchy is the supremest thing upon earth: for kings are not only God's lieutenants upon earth and sit upon God's throne, but even by God himself they are called gods. . . . To dispute what God may do is blasphemy; . . . so is it sedition in subjects to dispute what a king may do in the height of his power."

These claims were resisted by Parliament, which sought a greater share in governing England. During the mid-1600's, England was torn by a civil war between those who backed the king and those who backed Parliament. In the midst of this war, the poet and statesman John Milton answered supporters of divine right with these words:

> "To say kings were accountable to none but God is the overturning of all law and government. For if they may refuse to give account, then all covenants made with them at coronation [and] all oaths are in vain and mere mockeries; all laws which they swear to keep [are] made to no purpose, for if the king fear not God (as how many of them do not?) we hold then our lives and estates by the tenure of his mere grace and mercy, as from a God, not a mortal magistrate; a position that none but court-parasites or men besotted would maintain!"

The Glorious Revolution. The English Civil War ended without settling the dispute between king and Parliament. The monarchy was restored, but friction continued. The quarrel was finally resolved in 1689, after Parliament, alarmed by the policies of James II, withdrew its support from him and offered the throne of England to his daughter, Mary. James fled the country, and the **Glorious Revolution,** as it came to be called, is now seen as a turning point in English constitutional history

(page 400). Thereafter, Parliament's supremacy was unchallenged.

The new monarchs, William and Mary, accepted from Parliament a Bill of Rights (1689) that limited their power. The Bill of Rights protected free speech in Parliament. The monarch was forbidden to suspend laws, to tax without the consent of Parliament, or to raise an army during peacetime without Parliament's approval. Thus the Glorious Revolution had a great impact. It secured the rule of law, parliamentary government, individual liberties, and limited monarchy in England, completing a trend that had begun with the Magna Carta. It was also a milestone in British history. In the words of the nineteenth-century British historian Thomas B. Macaulay: "The highest eulogy [praise] which can be pronounced on the revolution of 1688 is this, that it was our last revolution."

"Whenever the legislators endeavor to take away and destroy the property of the people, or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any further obedience."

—John Locke, 1690

The end of the Glorious Revolution coincided with the publication of John Locke's *Two Treatises of Government* (1690). In this influential work, Locke argued that the English people had been justified in overthrowing James II because his government had failed to perform its most fundamental duty—the duty of protecting the rights of the people. Locke said that all human beings have, by nature, the right to life, liberty, and property. In order to protect these rights, they form governments. The people have an absolute right, he said, to rebel against and overthrow a government that violates or fails to protect their natural rights:

> "Whenever the legislators [rulers] endeavor to take away and destroy the property of the people, or to reduce them to slavery under arbitrary power, they put themselves into a state of war with the people, who are thereupon absolved from any further obedience. . . . By this breach of trust [the rulers] forfeit the power the people had put into their hands . . . and it [returns] to the people, who have a right to resume their original liberty and, by the establishment of a new [government], such as they shall think fit, provide for their own safety and security, which is the end for which they are in society." ❞

In claiming that governments are created by the people to protect their rights, Locke was saying that a government's power comes from the people, not from God. Thus Locke provided a strong argument against the divine right of kings. In claiming that people have natural rights that cannot be taken away from them, Locke was saying that there is a higher law than the laws made by human beings and that governments are obliged to respect it. Locke's ideas about government became cornerstones of modern democratic thought.

The Age of Enlightenment

Sources of Enlightenment thought. John Locke developed his theory of natural rights through careful observation and reasoned inquiry, just as ancient Greek philosophers had established the idea of natural law. Locke was an early example of an **Enlightenment** thinker. The Enlightenment—which reached its height in France in the mid-1700's—was a philosophical movement that attempted to use reason to understand society (page 419).

Political developments in England in the 1600's had a strong impact on Enlightenment thinkers. So did many other aspects of the Western tradition: the rational spirit of Greek philosophy, the Stoic belief that people are basically equal because they have the capacity to reason, the Christian belief in the equality of souls before God. Enlightenment thinkers were also influenced by Renaissance humanism, which focused on worldly human concerns and criticized medieval philosophy for its preoccupation with questions that seemed unrelated to the human condition.

An even more immediate source of Enlightenment thought was the **Scientific Revolution** of the 1500's and 1600's (pages 413–418). Enlightenment thinkers praised both Newton's discovery of the mechanical laws that govern the universe and the scientific method that made such a discovery possible. They wanted to apply the scientific method, which relied on critical observation, to human affairs. They hoped that they could use reason to discover the natural laws that govern society just as Newton had used it to discover physical laws. Enlightenment thinkers wanted to subject all traditions and institutions to critical questioning. Those that did not stand up to such questioning could then be reformed or abolished altogether. A German-French intellectual, Baron d'Holbach (dahl-BAK), summed up the link between reason and progress in this way:

> Ignorance and servitude are calculated to make men wicked and unhappy. Knowledge, reason, and liberty can alone reform them, and make them happier. . . . Men are unhappy, only because they are ignorant; they are ignorant, only because everything conspires to prevent their being enlightened; they are wicked, only because their reason is insufficiently developed.

Another Enlightenment thinker, the Baron de Montesquieu (MAHN-tus-kyoo), studied legal systems to determine the natural laws underlying government (page 420). One of Montesquieu's conclusions, which would strongly influence the writing of the Constitution of the United States, appeared in his book *The Spirit of the Laws* (1748):

> Political liberty is found only in moderate governments. But it is not always in moderate states. It is present only when power is not abused, but it has eternally been observed that any man who has power is led to abuse it; he continues until he finds limits. Who would think it! Even virtue has need of limits.
>
> So that one cannot abuse power, power must check power by the arrangement of things. A constitution can be such that no one will be constrained to do the things the law does not oblige him to do or be kept from doing the things the law permits him to do.

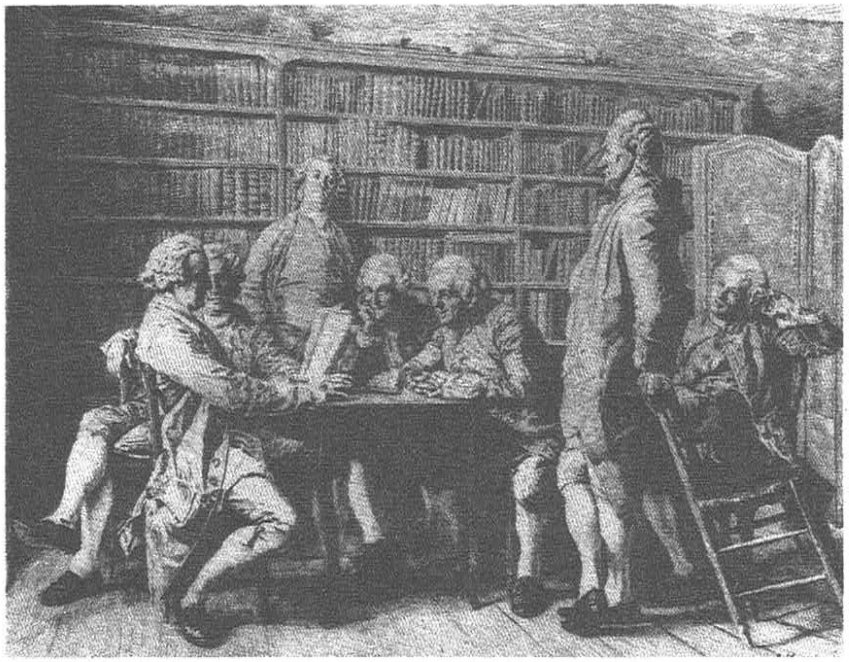
Because knowledge was the means of improving the individual and society, Enlightenment thinkers attacked religious and political authorities for using censorship to interfere with the free use of the intellect. Immanuel Kant (KAHNT), in an essay titled "What Is Enlightenment?" (1784), declared:

> All that is required for this enlightenment is freedom; and particularly . . . the freedom for man to make public use of his reason in all matters. But I hear people clamor on all sides: Don't argue! The officer says: Don't argue, drill! The tax collector: Don't argue, pay! The pastor: Don't argue, believe! . . . Here we have restrictions on freedom everywhere. . . . The public use of a man's reason must be free at all times, and this alone can bring enlightenment among men.

The philosophes. The thinkers of the Enlightenment were strong advocates of political liberty. "Every age has its dominant idea," declared Denis Diderot (dee-DROH); "that of our age seems to be Liberty." Diderot (page 422) was one of the leading **philosophes** (FIL-uh-sahfs)—philosophers and social critics of eighteenth-century France. The philosophes, who lived under an absolute monarch, were great admirers of English institutions. They attacked absolute monarchy and welcomed Locke's philosophy of government.

An entry in the *Encyclopedia*, which was edited by Diderot and other French thinkers, expressed the basic political doctrine of the philosophes:

> The good of the people must be the great purpose of the government. The governors are appointed to fulfill it; and the civil constitution that invests them with this power is bound therein by the laws of nature and by the law of reason. . . . The greatest good of the people is its liberty. . . . If it happens that those who hold the reins of government find some resistance when they use their power for the destruction and not the conservation of things that rightfully belong to the people, they must blame themselves, because the public good and the advantage of society are the purpose of establishing a government. Hence it necessarily follows that power cannot be arbitrary and that it must be exercised according to the established laws so that the people may know its duty and be secure within the shelter of laws,



The authors and editors of the *Encyclopedia* are shown here at an editorial session. Wary of censorship, they cleverly embedded their progressive ideas about politics and religion in their articles on both the industrial and the liberal arts. Still, their project met with much criticism.

and so that governors at the same time should be held within just limits and not be tempted to employ the power they have in hand to do harmful things to the body politic [the nation as a whole]. 99

"The good of the people must be the great purpose of the government."

—Diderot's *Encyclopedia*

The philosophes attacked any institution that they found in conflict with their ideals. They denounced slavery as a violation of the slave's natural right to liberty. They condemned the squalid conditions of Europe's prisons and the use of torture to force confessions. They denounced censorship of political ideas, calling for freedom of speech and of the press.

The philosophes also attacked Christianity. They would not accept Christian doctrines that seemed contrary to reason. They denied that the Bible was God's work, rejected the authority of Church officials, and dismissed miracles—such as Jesus' walking on water—as incompatible with natural law. To the philosophes, Jesus was an inspiring teacher of morality, but he was not divine.

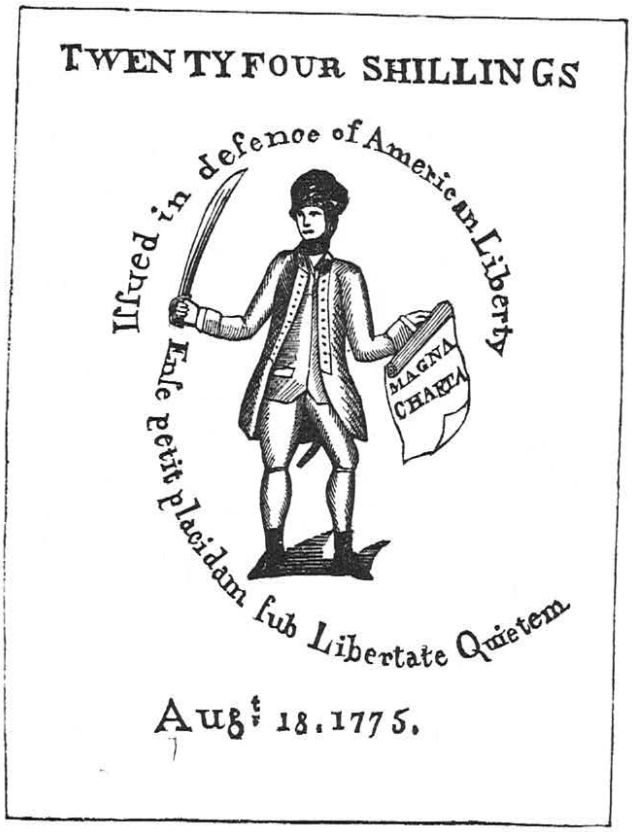
The philosophes regarded religious persecution as particularly wicked and irrational. Voltaire, one of the foremost opponents of religious intolerance, proclaimed:

66 I shall never cease . . . to preach tolerance from the housetops . . . until persecution is no more. The progress of reason is slow, the roots of prejudice lie deep. Doubtless, I shall never see the fruits of my efforts, but they are seeds which may one day germinate. 99

A New Plan of Government in America

Many people inspired by the ideals of the French philosophes were impressed with the outcome of the American Revolution (pages 424–430). Most of the founders of the United States were well acquainted with the writings of the ancient Greeks and Romans, with English political history, and with the ideas of Enlightenment thinkers. They used their knowledge of the past to grapple with the difficult political issues they faced as colonists, revolutionaries, and statesmen.

Causes of the Revolution. The American Revolution was the Patriots' struggle to protect themselves against what they saw as the tyranny of the British government. The central issue was



This American money from 1775 showed a revolutionary figure wielding a sword in one hand and the Magna Carta in the other. What did these symbols represent to Americans of that time?

whether Americans could legally be taxed by Britain. The Patriots, pointing to the established English principle of "no taxation without representation," argued that Parliament had no right to tax Americans, because Americans had no representatives in Parliament. Again and again between 1763 and 1775, the colonists clashed with colonial authorities over this issue.

In the attempt to enforce laws passed by Parliament, British colonial officials violated other rights as well. For example, in an attempt to stop the colonists from evading import taxes by smuggling, officials used writs of assistance. These search warrants allowed officials to enter colonists' homes and ships, break down doors, and open containers in order to search for smuggled goods. The colonists charged that writs of assistance violated their right to protection from unreasonable searches and seizures.

As violations like these mounted, the colonists became increasingly concerned that the British government was not guarding their rights. Those who had read Locke recalled his warning that people ought not to "expect release when it is too late and the evil is past cure." By this, Locke meant that a people must act to protect their liberties before a potential tyrant can completely oppress them.

The Declaration of Independence. By July of 1776, the Patriots had given up all hope of resolving their differences with Britain. They decided to declare the colonies independent. In these passages from the Declaration of Independence, written by Thomas Jefferson, the colonists explained their motives:

> When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.
>
> We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable 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 a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object evinces a

design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.

Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world. . . .

He [the King] has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly for opposing with manly firmness his invasions on the rights of the people. . . .

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies without the consent of our legislatures.

He has affected to render the military independent of and superior to the civil power.

He has [acted with Parliament to allow laws] . . .

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us in many cases, of the benefits of trial by jury. . . .

In every stage of these oppressions we have petitioned for redress in the most humble terms: Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people. . . .

We, therefore, the representatives of the united States of America, in General Congress, assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be free and independent states. . . .

And for the support of this Declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor. 99

(1) Why, according to the Declaration, did the colonists owe the world an explanation of why they were seeking independence from Great Britain? (2) According to Jefferson, what rights are all people given by God? (3) In your own words, state five of the abuses Jefferson said the colonists had suffered under George III, and tell why each abuse might have been considered a threat to the liberties of Americans.

The Constitution. The Declaration of Independence dissolved the ties between the United States and Great Britain, but it did not establish a new central government. The former colonists, wary of centralized power, devised a plan of union called the Articles of Confederation. With that document they created a loose confederation of states. For a decade the new states limped along under the Articles, but by 1787 it was clear that a stronger central government was needed.

In the summer of 1787 a group of distinguished Americans, chosen by their state legislatures, met in Philadelphia to work out, or frame, a better plan of government. They wrote the Constitution of the United States—a document that has served for over two centuries as an inspiration and a model for new democracies around the world.

Creating the Constitution was not an easy task, however. There was great debate over a very basic question: Is it possible to establish a government that is strong and stable but not tyrannical? The answer the framers arrived at was that such a government was possible if they created a system that distributed power and responsibility in a balanced way.

First, the framers agreed to set up a representative government to assure that the power to govern ultimately rested with the people. They did not, however, entrust the selection of the President,

senators, and judges to the people directly. The President was to be chosen not by popular vote but by a group of electors from each state. Senators would be chosen by the state legislatures. Federal judges would be appointed by the President and confirmed by the Senate. The only national officials to be elected directly by the people were members of the House of Representatives.

Second, they created a **federal system**—one in which the powers of government are divided between the federal, or central, government and the states. For example, only the federal government has the power to declare war, but state governments have the authority to decide who is eligible to vote. In a federal system, the independent powers of the states serve to limit the power of the federal government.

Third, within the federal government, the framers set up a system of **separation of powers** based on the writings of Montesquieu. The three branches of the federal government—legislative, executive, and judicial—each operate with a large degree of independence. As with the division of powers between the federal and state governments, each branch of the federal government can be expected to prevent either of the other branches from taking over any of its constitutionally assigned powers. At the same time, moreover, each has the ability to check the power of the other two. For example, the President can check the power of Congress by vetoing legislation. Congress can check the power of the President by refusing to appropriate the money needed to carry out an executive policy of which it does not approve. The courts can check the power of Congress by declaring a law unconstitutional. This system of **checks and balances** prevents the accumulation of too much power by any one branch of the government.

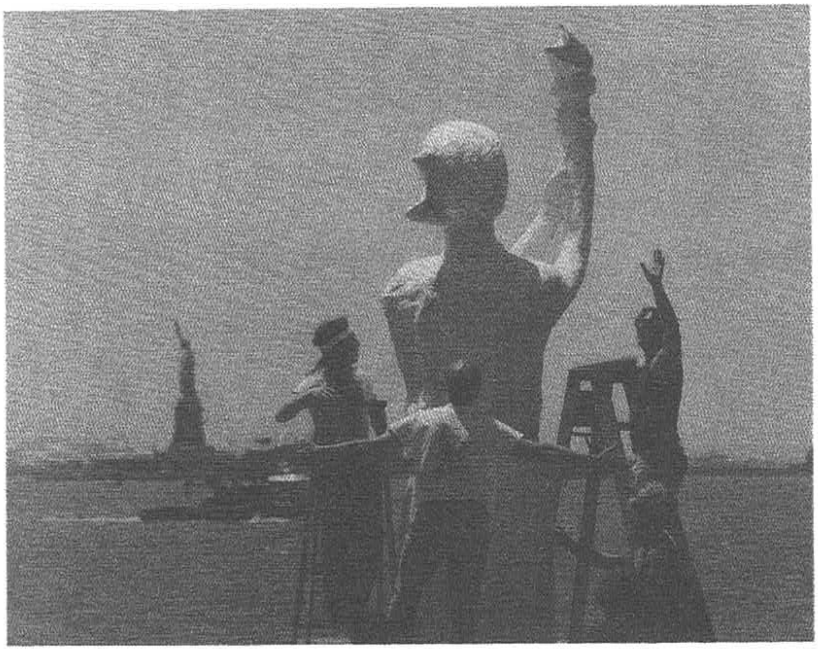
The Bill of Rights. The debate over ratification of the Constitution was intense. Many Americans feared that the new government would be too powerful. In order to relieve their concern that the new federal government would violate people's rights in the same way that George III had, supporters of the Constitution agreed to pass a bill of rights.

The first ten amendments to the Constitution (the Bill of Rights) were passed by the first Congress in 1789 and ratified by the states in 1791. These amendments guarantee Americans freedom of religion, speech, press, and assembly. They protect the right to bear arms and to be secure from unreasonable searches and seizures. They guarantee that accused persons have the right to a jury trial, that they cannot be forced to testify against themselves, and that if convicted, they will not suffer cruel or unusual punishments. Most of the rights guaranteed by the Bill of Rights had their roots in English law. The rest, including freedom of speech, the press, and religion, came out of the writings of Enlightenment thinkers.

The worldwide impact. The first shot of the American Revolution was memorialized, in a poem by Ralph Waldo Emerson, as "the shot heard round the world." Europeans who had theorized about and dreamt of a world based on the rational principles of the Enlightenment were thrilled by word of events in America. The Americans had successfully shaken free from a tyrannical oppressor. Then they had applied the principles of the Enlightenment to form a practical, working system of government.

It was not only American government but American society that impressed liberal Europeans. Americans set an example of social equality unmatched anywhere in Europe. In the United States there was no monarchy, no national church, and no hereditary aristocracy. America did have its share of rich people, and they did own a large percentage of the wealth. They were not, however, aristocrats in the European sense—they did not have special privileges in the eyes of the government. Most American citizens lived much like their neighbors. All were equal before the law, and none bowed to any person.

One great irregularity in this generally rosy picture of American society was, of course, slavery. In the late 1700's, slave labor was vitally important to the economy of the southern states. Even Virginia planter Thomas Jefferson, enlightened though he was, could not bring himself to free his slaves. Many people were, however, aware that slavery was not consistent with Enlightenment ideals. Most states either restricted slavery or made it easier for slaveowners to free their slaves. Several states outlawed slavery. Nevertheless, blacks–



The United States continues to be a model for peoples who are seeking democratic freedoms. In 1989 Chinese pro-democracy demonstrators in Beijing's Tienanmen Square looked to the Statue of Liberty as an inspiration for their own statue, the "Goddess of Democracy." Though the protest was crushed violently, the image of the "Goddess" endures. In New York City in 1990, this replica of the "Goddess of Democracy" was unveiled in full view of the statue that had inspired the original.

whether free or enslaved—were not accepted as equals in American society.

Besides Americans of African descent, other groups suffering political inequality included women and landless men. Because of the easy availability of free land, most American men were farmers who owned their own land. This was important, because in most states only white males over 21 who owned property were allowed to vote. In the United States a high percentage of men met this property requirement. Women, on the other hand, would have to wait more than a hundred years to get the vote. In spite of their unequal legal status, women did benefit from the democratic ideals of the Revolution. As Alexis de Tocqueville (TOHK-vil), a French observer who toured America a generation after the Revolution, noted: "Americans do not think that man and woman have the duty or the right to do the same things, but they show an equal regard for the part played by both and think of them as beings of equal worth."

Neither American government nor American society was perfect. Yet the young nation had turned the path of history in a new and exciting direction—toward the idealistic goal of rule by the people. The American Revolution was the product of a long history of democratic ideas, stretching back to the beginnings of Western civilization. Greek philosophy, Roman law, the Judeo-Christian belief in the worth of every soul, medieval struggles to limit government power, and Enlightenment ideals of reason and liberty all contributed to the thinking of the nation's founders. Wisely, they created a Constitution and system of laws that allowed for the continued development of and debate over the meaning of democracy.

Section 4 Review

1. **Define or identify:** divine right, Glorious Revolution, Enlightenment, Scientific Revolution, philosophe, federal system, separation of powers, checks and balances.
2. Why is the Glorious Revolution seen as a turning point in English constitutional history?
3. What was John Locke's argument against the divine right of kings?
4. How was the Enlightenment influenced by the Scientific Revolution?
5. Why was the establishment of the United States of America considered to be a victory for democratic ideas?
6. **Critical thinking:** If there had been no American Revolution, do you think democratic ideas would have been established eventually in another government? Explain your answer.