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THE PHILOSOPHICAL BACKGROUND
OF AMERICAN DEMOCRACY

I have chosen this subject first, because present interest in political questions, due largely to actual world conditions, is more than ordinarily intense; again because the citizens of any democracy will be able to render more enlightened public service and reach a better appreciation of the liberties they enjoy if they understand those broad, underlying and unchangeable principles on which the structure of their government rests and, finally, because the dangers which threaten the stability of our present form of government by rival philosophies of life are neither so remote nor so insignificant as to make a warning against them superfluous. The subject is obviously a broad one, one that could better be treated in several volumes than in a brief article. Here we can do little more than draw the rough outlines.

There are various possible approaches to our subject. One might, for instance, undertake simply to give a historical sketch of all political theories coming under the heading of democratic, beginning as far back as Aristotle and coming on down to the present time. Well, history no doubt has its value. I should be the last to try to minimize it, but to select the historical approach in an article as brief as this must be, seems to me as incongruous as for the Sunday preacher to begin his sermon on charity back in the Garden of Eden. When that happens the congregation groan inwardly, settle back in their pews and prepare for the worst.

Again we might approach it from the controversial angle and try to show that this individual or that, one group and not another, deserves the credit for originating the idea of democracy in Government. But one drawback to that method is that once you start to locate the birth-place of an idea, and then to bestow credit where credit belongs for its development and application, you find yourself chasing down the
long avenues of history till the dawn of time, and meeting so many different peoples who insist that it is their brain child that your search will be endless, and so partly fruitless. This much at least is beyond serious controversy: (1) that the idea of democracy — abstracting from its many forms and degrees — is not a purely modern invention at all; (2) that it found in the Christian view of life and of man one of its most sympathetic allies, and (3) that if it is going to survive the onslaughts of the contemporary epidemic of state absolutism sweeping over large areas of the Western World, its friends had better be mounting the watch-towers, strengthening their out-posts and equipping their fortress for a long siege.

The approach I have actually chosen is the philosophical approach. It is, as you know, in the preamble to the Declaration of Independence of 1776 that we find stated in summary form the principles of our American Political Philosophy. It was the founders’ justification before the world for what they had done, that is, their rebellion against the mother country, and what they intended to do for the new and independent government which they set up. “A decent respect,” they said, “to the opinion of mankind requires that they should declare the causes which impel them to separation.” These “causes,” or the ultimate rational grounds or principles upon which they took their stand, involve an attitude, a settled conviction toward the origin and the nature and the destiny of the world and of man, which is precisely what is connoted by the term philosophy. I shall consider this philosophy under four headings: (1) The political equality and freedom of all men; (2) sovereignty resides in the people; (3) a people has the right to select its rulers and (4) they have the complementary right, when abuses are extremely grave, to revolt against an existing government and set up another in its place.

Now, a philosophical argument, like any other, must take as its starting point something that is either commonly ad-
mitted as true, or which is immediately evident and beyond dispute. Otherwise, the contestants will never get on common ground; they will neither listen to one another, nor ever be able to reach a conclusion. So we find the authors of the Declaration of Independence beginning by saying: “We hold these truths to be self-evident: (1) that all men are created equal, (2) that they are endowed by their Creator with certain inalienable rights, and (3) that among these rights are life, liberty and the pursuit of happiness. . . .” Strictly speaking, of course, none of these assertions is self-evident, such as the proposition, twice two are four. But, at the time, all were so widely accepted, in theory at least, that the writer felt that no one would call them in question. Moreover, they are so easily proved that it is no exaggeration to call them quasi self-evident. At any rate, our founders confidently placed the origin of the world and of men in the creative act of God, and held that because that is so, every man is the equal of every other, that is, he has the same essential attributes, the same intrinsic dignity and worth, the same essential needs, the same final destiny. Further, being a creature of God, they held that he is necessarily subject to the Divine Will or law; and since that law is made known in the mind of each individual, it is grounded in human nature, and so aptly called the natural law. Again, since the inevitable effect of law is to impose duties on some with correlative rights in others, it follows that if the law is bound up with their nature, the rights flowing from that law will be as inalienable as the nature itself. Finally, since men were created to live, their first natural duty obviously is to live, and so to seek the end of life in which ultimately happiness will be found, and to seek it in a manner consonant with their nature, that is, freely. If then these are their primary and absolute duties, it follows necessarily that to them must correspond unconditional rights,— the inalienable rights to life, liberty, and the pursuit of happiness.
The first and most fundamental truth then upon which our American conception of government rests is the Fatherhood of God. The first conclusion drawn from it is that all men are brothers, that is, all are co-equal members of the human family, have the same natural status and dignity and destiny, and so also the same basic rights and duties, i.e., the right and the duty to live, and to pursue the true end of life freely, which is liberty.

This much is abundantly clear. What is not so clear to many is what is meant by the natural law. At a recent conference on social studies a prominent university professor qualified it as "unmitigated bunk." That view is not uncommon. Were it true, then of course all talk of natural or inalienable rights would also be unmitigated bunk, as would also the whole philosophical foundation of our popular government. It is demonstrable, however, that without the recognition of the natural moral law popular government, as set forth by our founders is impossible. What then is the natural law?

Law, as everybody knows, is a rule of action, a guide or norm to which action either must or ought to conform, so that order and justice may prevail. We say also that law is for the common welfare, the common good. But that is true only because without order, without coördination of effort and the subordination of the individual to the common end, there could be no common end or good. Law then is for order. But as there is a twofold order, so there is a twofold law. There is the physical order, the order of inanimate and non-free beings, and there is the moral order, the order of free beings. To nature we must add human nature. Though both are parts of the same whole, they do not act in the same way, they do not observe the law of their being in the same way. Now it is curious that while nobody objects to the term natural law in the sense of physical law, such, e.g., as the law of gravitation, many hold that it has no sense when applied to men or moral beings. And yet there is the
same evidence for it in the one case as in the other. It is a natural law in the physical world that one body attracts another inversely according to the square of the distance which separates them. No scientist made this law. One of them merely discovered it. He discovered a constant and uniform way of acting, of action and reaction, in physical bodies. Now the determination of the respective natures of things by reason of which they act in this constant and uniform manner is the law in things and in brute animals. The scientists's verbal statement, his formula, is but a description of it. But the law exists quite independently of the description.

So too, when we talk about animal instinct we are speaking of a constant and uniform way of acting which is, so to say, ingrained in their very natures. We say it is natural for the ants to live in colonies and for the spider to spin its web. What we mean is, that given their respective natures, their modes of living and of acting are determined for them, — as is indeed the whole order of their lives. That determination is what we mean by the natural law in the physical sense. It is a rule of action woven into the very structure of their organisms. It enables them to adjust themselves advantageously to both their friends and enemies, to what is good and what is harmful to them, in a word, to seek those ends which will minister to their conservation and full development as individuals, and to the continuation of their species.

Now since man also is part of nature, of the cosmic order of things, we should not hesitate to claim that he too is a subject of and guided by natural law. Only, not in the same way as non-free agents. The price we must pay for our freedom is the necessity of constructing a moral order for our lives. Animals need no education, no training. They act for ends, but without consciousness of end. Hence the whole order of their lives is fixed for them. For them there is question neither of right or wrong, nor of rights and duties. But we are not born with a knowledge of life and how it should
be lived. We must acquire it by intellectual effort. We must learn the meaning of life, discover standards of right and wrong, formulate rules of right conduct, else, unlike the animal, we blunder and injure or even destroy ourselves.

What is our starting point? Evidently it is not the State. In time and in nature man is prior to the State. One is a man before he is a citizen. And even becoming a citizen does not deprive him of his status as an individual. The service of society is not our highest destiny. No, our starting point is ourselves. The roots of the moral order are in our moral nature, i.e. in our intelligence and our will. We come to know what life is for by finding out what are our basic or essential needs and capacities. Our experience shows us that we have need of truth and of goodness, and of beauty, not merely in the abstract, and not merely of what is finite. The fact is that we can know the infinite; we can know God, and we have a felt need of Him. What else does this mean except that we are made for Him, that He is the end of life, that therefore both our individual and our social or political life has a spiritual basis?

Knowing this, a man can find his place in the universe. He can see how he is related to other beings, — that he is essentially related to God as subject to supreme sovereign, as agent to final end; that he is related to society as moral part to moral whole; to other individuals as essentially and juridically their equal, and to the physical world as to what is for his use and enjoyment. This is the factual situation. Reflecting upon it, he can see what he ought to do, how, in the face of facts, he ought to act, not indeed in every contingency of life, but in all those basic matters that are momentous in his life as a man. He reasons somewhat like this: It is a fact that I am essentially dependent upon and subject to my Creator. Therefore, I ought to acknowledge His sovereignty, worship His majesty, do His known will. It is a fact that society or the State is but a means which men have instituted to further their common temporal wel-
fare. Therefore, though I am not a part of it, and should cooperate with my fellows to promote the common welfare, I am not a part of it in the sense that my whole personality is or ever justly can be wholly submerged in or subordinated to it. It is a fact that, despite the differences that obtain among human beings, all have the same nature, the same basic endowment, and so are all basically equal. Therefore I ought to love my neighbor as myself; I have no authority from nature over him, no right to injure him in his person or his property. It is a fact that the physical world is for my use and enjoyment. Therefore I ought to partake of its bounty in such a way as to promote and not to injure my bodily welfare. Finally, it is a fact that each of my bodily powers, — senses, my various internal organs, my intellect and my will has its own proper object, its own particular end. Therefore I should use them for no other purpose than the attainment of those ends. It is these judgments of reason, grounded in the factual situation that I have described, that we understand by the term natural law, in the sense of moral law. It was to that law that the founders of our democracy appealed in the statement of their principles and in their claim to the possession of inalienable rights.

Moral science, whether it be ethics proper, or politics or law or sociology or economics, since it has to do with human actions, necessarily takes as its point of departure the nature of man, his origin, destiny and relationship to other beings. This is exactly what the founders did. They did not say, as so many nowadays are saying, that man’s ancestry is purely animal, that as a citizen he is as literally a part of the social organism, as the hand is of the body, and so entirely subordinate to it, having no duties or rights except such as may be imposed or conceded by the State and having no higher destiny than to serve the State. They did not say that man exists for the State. Quite the contrary, they said that the State exists for man; for they maintained that political sovereignty resides in the people.
"To secure these rights," they said, "governments are instituted among men deriving their just powers from the consent of the governed." The thought behind this statement is that, as I have already said, the individual does not exist for the State, but, contrariwise, the State exists for the individual. The group exists for the good of the members; it is subordinated to their interests, and justifies its existence only so long as it promotes their interests. The personality of an individual is inviolable. For he has a destiny superior to temporal social life; he spontaneously seeks a perfection or happiness which nothing temporal can wholly satisfy. And yet by himself he cannot attain this perfection. The plain fact is that all of us depend upon human society not only for the necessities of life but also for the development of our physical, intellectual and moral powers. It is for that reason that we say man is by nature a social being, that "he is called by nature to live in society." Men therefore organize society in order to attain their natural ends. Since men are by nature social, nature, or if you wish, the author of nature, must have endowed them with all the means necessary for social living. They are therefore as a group the depositories of supreme civil authority or sovereignty, without which society is inconceivable. The people then are sovereign, not in the contradictory sense of Rousseau or Hobbes, namely that public authority consists of the sum total of liberties which each individual was willing to give up on entering society, but in the sense that they are the channels through which, on the occasion of the need for electing their rulers, it flows to the person or persons so chosen. Evidently, if men are by nature equal, then no individual has any superiority over another, a superiority which is implied by the term authority.

Moreover, there is another and more profound reason why the individual has rights of which no State may deprive him. It is because, as DeWulf puts it, "human personality alone is a substantial reality. On the other hand, no group whatever, the State included, is a real being; it is simply a group of
persons." 1 In other words, the State is not an entity in itself and so not an end in itself. It is but a collection, a grouping of individuals. It has not an internal substantial unity, but only an external and functional unity. It is only by analogy that it can be called an organism. It has no reality apart from the individuals that compose it.

This brings us to the third point, the right of the people to select their magistrates, i.e. their rulers. The founders held that "whenever any form of government becomes destructive of these ends (i.e. the common welfare of the people) it is the right of the people to alter or abolish it, and to institute new government, laying its foundations on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

Now this principle follows logically from their conception of the sovereignty of the people. For they conceived of sovereignty, not an unlimited power, or one to be used to attain any arbitrary end. They regarded it rather as a function or, better still, an office or duty. It is a means to be employed by those upon whom it has been bestowed to provide for the safety and happiness of the people. That is its sole end, its only reason for existence. When any government forgets that or, what is worse, acts positively against it, it forfeits the right to exercise sovereignty any longer. Since the state is but an association of individuals, it follows that there is not one set of rights and duties, one morality, for the ruled and another for the rulers, but the same for both. Sovereignty is for the association, for the preservation of its existence, its unity, its solidarity, its peace and its progress toward the common good. It is in fact upon the conception of social solidarity that the common good is founded. For, to quote De Wulf once more 2 "Every good and virtuous act performed by the individual man is capable of benefiting the community, — the community in which he has membership,

1 De Wulf, Philosophy and Civilization in the Middle Ages, p. 230.
2 Id. at 246.
as a part of the whole. Hence it follows that in the state, the individual good can be referred always to the common welfare; the scholar who teaches and studies, the monk who prays and preaches, these render service to the community as much as do the artisan and the farmer and the common laborer."

All this is of course quite different from the ideas of the contemporary promoters of the totalitarian State. For them sovereignty does not belong to the people nor is it to be exercised by them. It is the prerogative of a ruling party established and maintained by military force and for the ends, economic, military, cultural or religious which this party decides should be attained. The rank and file have no voice in governmental affairs. Their natural rights denied them, their individual consciences are ignored. In a word, they have neither political nor religious freedom.

Now, to take up our final point, the right of a people to overthrow or to change and determine the form of government. We may note that the founders regarded such a step as a very serious one and not to be lightly taken, for "Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes . . . that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed."

In other words, they regarded human institutions in their true light, that is, as at best imperfect and accompanied by certain defects. They had a sane and healthy tolerance for human shortcomings. They realized that it is always extremely difficult to successfully change habits of long standing and institutions to which a people has long become accustomed, and that it is always better to conserve these habits and continue the institutions so long as popular rights are not too violently disregarded.
And yet, in spite of the prudence and forbearance which they counselled under ordinary circumstances, they very logically maintained that “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 and duty, to throw off such government and to provide new guards for their future security.”

Though rebellion against tyranny is ever to be a last resort, still they claimed that such rebellion was both a right and a duty. It is a right because, when the exercise of sovereignty takes the form of an unjust aggression upon their rights and liberties, every law, human and divine, sanctions resistance to the unjust aggressor. And it is their duty because since sovereignty or supreme civil authority resides in them, and it is to be used by them for the common good, they owe it to themselves to withdraw it from their representatives and place it in more worthy hands.

To sum up. The following propositions may be said to be contained in the philosophy underlying our American Democracy:

1. Men owe their origin to the creative act of God.
2. As they came from Him they are equal.
3. Being created by Him and for Him they have the duty to live the life He gave them, to live it freely, that is, without hindrance from any earthly power to employ all necessary means to that end; and that end possessed is the full measure of human happiness.
4. Men are by nature social beings. Therefore they possess from nature all necessary means for social living. Supreme authority or sovereignty is one of these. Therefore it resides in the people. The people are sovereign.
5. Therefore the State exists for them; not they for the State.

6. Being sovereign, they obviously have the right to choose their rulers and their form of government.

7. The end of government being their common welfare, they have the right to depose unworthy rulers and to select such as will exercise sovereignty for proper ends.

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