

THE GROWTH OF DEMOCRACY: (England)

Meaning of Political Democracy:

Principle: That government is created by, derives its powers from, and exists to serve the people.

FEATURES: Modern Democratic Systems

1. Governmental powers are limited by a written constitution or by an unwritten constitution (a group of documents and basic laws).
2. People protected by constitutional guarantees of basic civil liberties.
 - a. Freedom of speech, press, religion, and assembly.
 - b. Right to bail, impartial trial, and equal treatment under the law.
 - c. Minority groups have the right to full and free participation in society and government.
 - d. Officials chosen by secret ballots in free elections.
 - e. Legislature conducts free and open debate on issues and passes laws by majority vote.
 - f. More than one political party exists, each free to present its views.

POLITICAL DEMOCRACY IN HISTORY:

1. **Appeared** first in Ancient Greek city states and in the Roman Republic.
2. **Replaced** by autocracy: rulers of the Roman Empire, feudal lords of the Middle Ages and Absolute Monarchs.
3. **Reappeared** as a result of the 17th Century English Revolution and the 18th Century American and French Revolutions.

ORIGIN OF DEMOCRATIC GROWTH: ENGLAND

1. Jury System: Henry II (1154-1189)

- a. Royal Courts replaced feudal justice.
- b. Establishment of the **Grand Jury**.

Purpose: to strengthen royal authority - however, it evolved into the modern jury system.

2. **The Magna Carta** (1215) King John - forced upon him by feudal nobles to protect their rights.

Importance:

- a. The King (monarch) subject to the law.
- b. All persons guaranteed trial by jury.
- c. **Great Council** alone could levy taxes.

3. Model Parliament (1295) Edward I

- a. Expanded the Great Council's membership to include the **Middle Class**.
- b. **Purpose**: to place taxes upon and ensure the loyalty of the wealthy middle class.

4. **English Common Law**: by the 13th Century

- a. Judges basing decisions on similar cases decided before.
- b. **Common Law** held that life, liberty, and property could not be taken away by illegal or arbitrary action.

5. **Parliamentary Lawmaking** (14th Century)

* By threatening to withhold tax legislation, Parliament forced English monarches to accept its legislation on all matters.

* **Laws** - required the consent of both houses of Parliament and the approval of the monarch.

PARLIAMENT AND THE TUDORS:

1. Followed a popular foreign policy by opposing Catholic Spain.
2. Aided the middle class by providing law and order, encouraging trade, and furthering overseas expansion.
3. Outwardly appeared to consult Parliament but actually dominated it.
4. Under Henry VIII, Parliament ratified nearly every expression of royal will.
5. By Elizabeth's death, a law passed in Parliament had virtually replaced other forms of legislation (such as the royal writ) as the law of the land.

* Elizabeth recognized the freedom of parliamentary debate by acknowledging that members of Parliament should not be punished for anything said inside Parliament.

JAMES I (1603-25) AND THE STUART DYNASTY

1. Elizabeth left the throne to her 3rd cousin, James VI of Scotland ---- becoming James I of England.
2. Tudor - Stuart Family Connection:
 - a. **Margaret Tudor**, sister of Henry VIII, married **James IV** of Scotland.
 - b. Mary Queen of Scots was the granddaughter of Margaret - and mother of James VI.
3. Mary Queen of Scots
 - a. Betrothed and married to Francis (II) of France who died in 1560 -- she was raised in Catholic France.

b. She returned to Scotland and married Henry Stuart, Lord Darnley.

c. Elizabeth imprisoned her.

1.) Question of Henry VIII's divorce to Catherine of Aragon.

2.) Most European monarches recognized Mary as the rightful ruler of England at the death of Mary Tudor.

3.) She became the object of Catholic conspiracies -- eventually she was executed by Elizabeth in 1587.

4. James I - believed in the **Divine Right of Kings**.

a. He rejected the Calvinist (Puritan) belief that the king, like any other man, was subject to God's law and to His Church.

b. **James:** There was no reason why his royal power and perogatives should be questioned in England -- he declared to Parliament the right of the king to make or dispense with laws.

5. **Parliament**: was self confident in its position during the 16th Century.

a. English lawyers believed in the **inviolability** of **Common Law**.

b. Radical Protestants or **Puritans** wanted the Church of England reformed.

c. Others - who were simply **hostile** to the **status quo**.

6. Parliamentary Opposition

a. Parliament had opposed **Elizabeth** on many occasions, but it was confined to specific issues and not the position of the monarch.

b. Under **James** - different groups united in their opposition to the king for the defense of its own **constitutional position**.

c. **The House of Commons** - ,believed the king and his ministers were indifferent or even hostile to **common law** which they regarded as the **cornerstone** of English liberty.

7. Sir Edward Coke and the "**Country Party**"

a. As **Chief Justice** of the **King's Bench**, Coke developed a constitutional doctrine based on the rule of law - he believed it was the highest authority.

ie. **the law**.

b. Dismissed from the bench, he became a member of Parliament and headed the opposition to the king.

* He was especially opposed to royal use of the **Star Chamber** and the **Court of High Commission** and summary punishments handed down to those who opposed the king.

8. **Finances** - need for money (Stuart conception of monarchy and rewards to court favorites).

a. James was forced to go to Parliament more frequently than Elizabeth ----- otherwise, he ignored Parliament.

b. James made no attempt to form or lead a king's party in the House of Commons to counterbalance the **country party**.

c. Parliament insisted on discussing **Parliamentary "liberties"** before granting funds to the king.

The King (angered) dismissed Parliament and **raised money by:**

titles

monopolies

forced loans

9. **Failure of James I**: unlike Elizabeth, he did not appreciate the importance of Parliament nor the need to exert royal leadership through the House of Commons.

* **Significance**: The King James Bible.

CHARLES I AND REVOLUTION: (1625-49)

1. Incompetent, weak, and stubborn to deal with the problems that faced him.

* **Repression** - was his normal reaction.

2. 1628: **Sir Edward Coke** pushed through Parliament the **Petition of Right**.

* Charles was forced to agree to several specific limitations on royal power.

a. Taxation without the consent of Parliament was prohibited.

b. Billeting of soldiers in private homes was prohibited.

c. Imprisonment without a specific charge was prohibited.

d. Establishment of martial law in peace time was prohibited.

* **Importance**: confirmed the Englishman's right to due process of law against arbitrary royal power.

3. **Debate: King and Parliament**

a. Treasonable statements were common place in the **pamphlet war**.

b. 1629: **John Eliot**, a leader in the House of Commons, was imprisoned in the Tower of London for his stand against royal policies -- he died there two years later.

4. No Parliament was called from **1629 until 1640**:

ie. the refusal of Parliament to grant the king funds.

5. **By the 1630's**: The Crown was in desperate financial straits.

a. 1635 - the King imposed "**ship money**" over the whole country -- opposed especially by the **Gentry**.

* It had originally been intended to finance coastal defenses and was only levied on coastal communities.

b. Charles made several attempts to levy taxes of various kinds without the consent of Parliament.

6. Protestant Opposition to Charles' Foreign Policy (Puritan Fear).

a. Of Spain, of the Hapsburg Counter Reformation - the possibility of an English Inquisition.

b. Parliament wanted active participation in the Thirty Years' War against the Hapsburgs.

7. Charles and Archbishop Laud (Canterbury):

a. Insisted on a rigid Anglo-Catholic Liturgy in the Church of England.

b. Laud used the **Court of High Commission** to get around the common law courts to inquire into religious questions.

c. 1637 - Laud attempted to impose the Anglican Prayer Book on the Scottish Presbyterian Church.

d. Riots and rebellion in the North -- led the king in **1640** to call Parliament into session.

8. **1640 - (53) 60: The Long Parliament**

a. Under the leadership of **John Pym** - the **Star Chamber** and the **Court of High Commission** were abolished.

b. The king's chief ministers were impeached.

(Laud and Strafford - were eventually executed).

c. It abolished ship money and other illegal taxes (feudal dues).

* A law was also passed that required Parliament to be called into session at least once every three years.

d. 1641: Ireland rebelled resulting from a royal policy of seizing land and giving it to English and Scottish settlers.

e. 1642: Parliament asserted its authority over **county militias** claiming the supreme authority of the **king - in - parliament**.

* **Importance:** The King's constitutional authority could be exercised only with and through Parliament.

f. Parliament attempted to do away with bishops in the Anglican Church.

g. As a result of this action, an attempt was made to arrest opposition leaders in Parliament - it failed, they had fled.

h. The King withdrew to Oxford to raise an army and Parliament raised an army against the king.

THE PURITAN REVOLUTION OR THE ENGLISH CIVIL WAR

1. The King's supporters, Royalists or **Cavaliers**: Anglicans, Roman Catholics and the Nobility.

2. Parliament's Supporters: **Roundheads**

Calvinists: Puritans, Presbyterians, and Separatists

* **Puritans** wanted to stay in the Anglican Church, keeping its organization under bishops but "**purifying**" its ceremonies and doctrines by **removing "popish" elements**.

* **Presbyterians** wanted an established church without bishops. Similar to the church established by John Knox in Scotland.

* **Separatists** also known as Independents or Congregationalists did not want any established Church wanting each congregation completely independent from the other (ie. pilgrims).

a. **Original Aim**: was a negotiated peace with the king ----- to define the place of the king in the constitution and assure the supremacy of Parliament and the reformation.

b. Distrusting the king the Parliamentary Party, headed by **Oliver Cromwell**, decided to fight for total victory.

c. After suffering two defeats, Charles I surrendered in 1646.

3. The Rump Parliament and Pride's Purge

a. A power struggle for control of the government developed among the Calvinist groups.

b. Colonel **Thomas Pride's troops** kept all Anglicans and Presbyterian members from entering the House of Commons.

1.) This action left only 60 members, all **Separatists** in Parliament.

2.) They abolished the monarchy and the House of Lords.

3.) England was proclaimed to be a **Commonwealth** (Republic) and a special court was set up to try Charles I for treason.

4.) On **January 4, 1649**, Charles I was executed.

* Charles' family fled and lived in exile in France and Holland at different times.

THE COMMONWEALTH

1. The country was governed by a **Council of State** chosen by Parliament.

a. It was composed of 41 members.

b. **The Judiciary:** its primary purpose was to maintain common law (this was seen as essential for the new regime).

1.) Protection of private property was also seen as a primary concern.

2.) Yet, there were elements within the army who wanted more radical redistribution of land (especially land seized from the nobility).

2. Cromwell was made commander of the Army for a war in **Ireland**.

1649: brutal repression by Cromwell (ie. Catholics and Royalists).

3. Scotland

a. The **Scottish Estates** proclaimed the king's son, **King Charles II** of Britain, France, and Ireland.

b. **Presbyterian Demand**: to do away with Bishops in the Church. He agreed at least for the time being (need for political support).

c. Cardinal Mazarin in France and Prince William of Orange in Holland lent their support to Scotland.

d. The Council of State made **Cromwell Commander - in - Chief** of the army.

1.) The Royalist forces were defeated.

2. A One Thousand pounds reward was placed on Charles II and eventually he escaped from England.

* After six weeks of hiding, Charles was able to return to Europe. It was the last time he attempted military force to regain power.

4. Real power was in the hands of the military - Cromwell was a virtual military dictator.

5. **Domestic Policy**: to benefit the Middle Class.

Navigation Act - 1651: purpose was to restore trade with the colonies to English merchants which had been taken over by the Dutch during the Civil War.

1652-54: Commercial War was fought with the Dutch.

6. Lord Protector - The Protectorate: 1653-58

a. Created by the **Instrument of Government**: Cromwell took more and more power into his own hands until he had established an efficient military dictatorship.

b. English counties were placed under the authority of "**major generals**".

7. Basis of Power:

- a. Support of a strong disciplined army - Cromwell's enemies had no organized opposition.
 - b. **Purpose:** to create a godly society - he purged Parliament ---- Parliament was elected by landowners.
 - c. The Middle Class that had supported the Civil War were denied political participation.
 - d. Cromwell closed all theaters and most forms of public entertainment.
- * He allowed no political or religious opposition. Cromwell viewed their struggle as a religious revolution and he did not want it to become a Democratic Revolution.

8. **Trouble With Parliament**: ie. unpopularity of the Protectorate.

- a. Separatists were in the minority, but they held control of the government.
- b. Catholics and Anglicans could not practice their religions.
- c. Puritans and Presbyterians wanted an Established Church.

* Cromwell could not develop a **consensus** for political support after the **fall of the old order**.

THE RESTORATION

- 1. 1658: Cromwell's Death (Monk leader of the army).
 - a. Richard Cromwell attempted to rule as Lord Protector.
 - b. He did not have the full support of the army.
 - ie. the unpopularity of the Protectorate.

2. 1660: Parliament asked **Charles II** who had been in exile in France and then in Holland to return to England as their king.

a. The **Gentry** who had opposed the early Stuarts on legal and constitutional grounds provided strong support for the monarchy.

* A desire to recapture the peace and security they had lost over the last two decades.

b. The gentry no longer wanted to reform the Anglican Church ----- they feared the political implications of Radical Protestantism.

3. Charles II removed Calvinist restrictions -- he believed in **Divine Right**, but he was careful in his relationship with Parliament.

4. Continuation of Mercantilist Policies

a. The war with the Dutch.

b. Took New Amsterdam in North America and renamed it New York.

c. Charles signed several alliances with Louis XIV, but was forced to withdraw from them (150 years of rivalry for sea and colonial empire followed).

5. 1666: The Great Fire of London was followed by the plague.

Christopher Wren: built Saint Paul's Cathedral, London became a city of stone and brick.

6. Parliament and Charles II

a. He attempted to lift some restrictions on Catholics but failed.

b. 1679: **Habeas Corpus Act** (within twenty days) was passed by Parliament.

c. Development of Political Parties.

1.) **Tories**: supported a strong hereditary king (upper class and Anglicans).

2.) **Whigs**: supported the idea of a weak king and a strong Parliament (middle class and non Anglican Protestants).

d. Fear of a Catholic Restoration

1.) In the late 1670's: The **Earl of Shaftesbury** unsuccessfully attempted to exclude James, Charles' younger brother, from the throne.

2.) He was later exiled when he attempted to win the throne for the **Duke of Monmouth** (an illegitimate Protestant son of Charles II - 1685).

JAMES II AND THE GLORIOUS REVOLUTION

1. Charles II died in 1685, and his brother James succeeded to the throne.

2. James antagonized both Whigs and Tories in Parliament.

a. Statements about royal perogatives - he lacked Charles' willingness to work with Parliament.

* He was very young during the Civil War.

b. Interference with the courts and common law (ie. attitudes of earlier Stuarts).

3. **Problem**: succession to the throne.

a. James II had two Protestant daughters.

Mary who was married to **William of Orange**, ruler of the Dutch Netherlands.

Anne who was married to a Danish Prince.

b. James had remarried a Catholic and their son was baptized a Catholic in 1688.

* The situation worsened when James prosecuted the Archbishop of Canterbury and six other bishops for seditious libel.

4. Tories and Whigs agreed that James II must **abdicate**.

a. William of Orange of the Netherlands who was married to James' daughter, Mary -- invaded England in 1688 at the invitation of powerful members of Parliament.

b. When the **Commander of the English Army** declared for the invader. James fled with his family to safety in France.

c. William III and Mary were established as **joint rulers** of England.

1.) William's chief goal was to form a Protestant alliance against Louis XIV.

2.) He was not interested in English Constitutional Questions -- he gave Parliament an opportunity to place legal limitations upon the monarchy.

The Glorious Revolution (1688-89):

Constitutional questions settled with a minimal amount of bloodshed.

Importance: It established without question the ultimate sovereignty of the **king - in - Parliament** and of **parliamentary statute law**.

Roman Catholics were forever excluded from the succession to the English throne.

PARLIAMENT AND CONSTITUTIONAL MONARCHY

1. **Bill of Rights**: agreed to by William and Mary ----- became law in 1689.

- a. The **king** was chosen by Parliament and subject to its laws.
- b. The king could not proclaim or suspend any law, levy taxes or maintain a standing army in peace time without the consent of Parliament.
- c. Elections would be held without the interference of the king, and free speech was guaranteed.
- d. Right of Petition to the government was guaranteed.
- e. No excessive bail or cruel or unusual punishment.

2. **Act of Toleration**: 1689

- a. Freedom of religion for non-Anglican Protestants.
- b. Heavy restrictions remained for Catholics.
- c. **The Test Act**: non-Anglican Protestants could not hold public office.

3. **Act of Settlement**: 1701

- a. If William would die with no heir, the throne would go to **Anne**.
- b. If Anne had no heirs, the throne would go to the granddaughter of James I, **Princess Sophia of Hanover**.

c. **Purpose**: to prevent the Catholic descendants of James II from succeeding to the throne.

4. **Results**:

a. Conservative settlement founded on property and civil rights - landowners saw no need for further reform.

b. Common Law and Parliamentary rule prevented governmental tyranny and absolutism.

c. The **Law**: favored the rich (it was slow and expensive). Parliamentary Rule ----- by the wealthy, propertied classes.

5. Parliament's Power:

a. **Cabinet System**: ministers of governmental departments began under Charles II.

1.) Chosen from leaders in the House of Commons.

2.) Eventually from the Majority Party.

b. Gained the right to declare war.

c. Queen Anne (1702-1714) -- last monarch to veto an Act of Parliament.

d. **Act of Union**: 1707

1.) United Scotland and England into the **United Kingdom of Great Britain**.

2.) Scotland was given seats in both the House of Lords and the House of Commons.

e. **1714 - The Elector of Hanover** became the King of England.

1.) The **Hanoverian Dynasty** - George I (German Speaking).

2.) Furthering to strengthen the function of government through Parliament.

6. Prime Minister

a. 1721-1742: The **Whigs** controlled the **House of Commons**.

b. **Robert Walpole**: was eventually recognized as the Prime Minister.

Originally: The First Lord of the Treasury.

c. The Prime Minister is the recognized leader of the majority party in the House of Commons.

THE ENLIGHTENMENT

1. An **intellectual movement** dated from **1687 to 1789**: from the publication of Issac Newton's **Principia** to the beginning of the French Revolution.

2. Intellectual thinkers directed their attention toward one specific problem: **how men should be governed**.

3. This intellectual explosion first appeared in the field of science.

* **Francis Bacon** said that all progress must be based on the scientific method of **reason, observation, and experimentation**.

SCIENTIFIC CONTRIBUTIONS OF THE ENLIGHTENMENT

1. In 1687 Issac Newton published his **Mathematical Principles of Natural Philosophy** (often called the **Principia**).

a. It synthesized (combined and related) the contributions of Copernicus, Kepler, and Galileo.

b. These men had proven the **heliocentric** theory of planetary revolution.

c. Newton explained the laws of force and motion which control planetary motion.

d. His law of **universal gravitation** stated that the force of gravity not only prevents objects from flying off the earth, but also holds the whole system of planets together in their orbits.

2. A German philosopher and mathematician, **Gottfried Wilhelm von Leibnitz** developed **calculus**. A system of calculating that uses algebraic symbols.

3. A Dutch scientist, **Anton van Leeuwenhoek**, used the microscope to discover **bacteria**.

4. English Scientists

a. **Robert Hooke** was the first man to identify cells in living matter.

b. **Robert Boyle** known as the "**father of modern chemistry**" worked out a basic principle describing gases that is known as **Boyle's Law**.

c. **Joseph Priestly** discovered the element that was later called oxygen.

* Elements are the fundamental substances that constitute matter.

5. A Frenchman, **Antoine Lavoisier**, named oxygen and showed that fire was not an element.

a. He also showed that matter is indestructible and can neither be created nor destroyed, but only changes from one form into another.

b. This is known as the **Law of the Conservation of Matter**.

6. The American statesman and writer, **Benjamin Franklin**, in 1752 proved that lightning is an electrical charge (with his famous kite experiment).

RATIONALISM: Truth can be found by reason or by rational logical thinking.

17th Century: **Political Philosophers**

Thomas Hobbes: **The Leviathan**

1. Humans in their original state of nature were unhappy and miserable.
2. They entered a social contract to surrender their freedom to a ruler and granted absolute power for law and order.
3. The ruler was not part of that contract, so people have no right to complain.

John Locke: **Two Treatises of Government**

1. Man in his original state was happy and had the natural rights of life, liberty, and property.
2. To protect these rights, man entered into a social contract to create government, and grant limited power.
3. If government which was part of the contract failed to protect these natural rights or exceeded its authority, man has the right to alter or change it.

* An intellectual justification for the **Glorious Revolution**.

FRENCH PHILOSOPHERS: 18th Century

1. Intellectual revolution believing man possessed natural rights and society could be improved.
2. Human institutions should conform to logic and reason. They challenged the authority of the nobility and the Church -- the **Old Regime**.

Montesquieu: 1689-1755

1. A Baron and landed **Aristocrat** who wrote **The Spirit of Laws**.

2. To prevent Absolutism: government should be divided into three branches.

- a. The Executive
- b. The Legislative
- c. The Judicial

Each branch checking the power of the other!

3. **Purpose**: to prevent power from being concentrated in one person. ie. a king

* **Separation of Powers**: adopted in the United States Constitution.

Voltaire: 1694-1778

1. Bourgeois family, author of literature and political studies.

2. Lived in exile in Great Britain and wrote: **Letters on the English**.

- a. Praise of the British limited monarch and civil rights.
- b. Denounced French censorship and injustice (absolutism).
- c. Urged religious freedom while maintaining authority prevented human progress.

"I disapprove of what you say, but I will defend to the death your right to say it."

Rousseau: 1712-1778

1. From the lower class: **Emile** - theories on education, new for his day.

2. **Social Contract**: man is born free, but everywhere he is in chains.

a. Man in his original state of nature was happy and possessed natural rights.

b. As **inequalities** arose, man entered into a social contract, agreeing to surrender rights to the community and to submit to the **General Will** - will of the majority.

*** Popular Sovereignty**

c. Man created government, as a necessary evil, to carry out the general will.

d. If government fails in this, man has the right to overthrow it and replace it.

3. This philosophy has also been used by dictators to justify totalitarianism.

Rousseau and Locke: the community as opposed to the individual.

Diderot: 1713-1784

1. Son of a skilled Artisan, received a fine education.

2. Editor of the **Encyclopedia**.

* Articles attacking **Old Regime abuses**. ie. religious intolerance, unjust taxation, and governmental abuses.

HISTORICAL ANALYSIS: Importance of Intellectuals

1. Bad conditions alone do not make a revolution -- absolutism had existed in France for centuries.

2. A **stimulus** was needed and it was provided by writers and orators.

3. To convince the people of how bad the conditions were -- -- and to provide a course of action to improve conditions.

<<http://www.hoocher.com/mr.j'spage/thegrowthofdemocracy.htm>>