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SOME ASPECTS OF DEMOCRACY.

FOREWORD

The saying has been attributed to Mr. Morley: "Discussion about democracy is apt to be idle, unfruitful and certainly tiresome, unless it is connected with some live temporary issue" (1) and the author, who makes this quotation, continues: "Profitable thinking upon political, as upon other matters, usually arises from the direct compulsion of circumstance." Problems which affect in the most momentous manner the progress of the civilized world have been raised by the present European War, and the writer believes that a consideration of the development of the democratic theory as revealed in the American and British Constitutional Systems will point us to a solution of these problems; for, as Dr. Jones avers in the sentence immediately following the one just quoted: "When in the course of a nation's practical life, a problem arises, the political thinker will do well to assume that the circumstances which set the problem contain the terms of its solution," and sagely adds - "Indeed the solution of a problem is nothing but the problem itself with its elements distinguished and their relation to one another made plain." The scope of this essay will include a brief exposition of those international crises which in recent years have marked the attitude of autocracy as typified by the German Government.

While a review of the chief features of American democracy may not seem vital to our theme, it will serve to show the contrasts illustrated in the development of democracy in the United States and Great Britain and to show how these nations attained similar results by divergent methods, thus supporting the generalization: "The principles of democracy are all of a piece with the principles of modern development - the spirit without the forms." (2)

- (1) Henry Jones - "The Working Faith of a Social Reformer" p.181.
- (2) Prof. Martin's Lecture.

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In every age and in every land there have arisen literary prophets fired with the holy duty of announcing the ideal form of human government. These speculative writers include such names as Socrates, Plato, Machiavelli, Bacon, Bolingbroke, Rousseau, and in modern times, Bernhardt, Treitschke and the whole hierarchy of German professordom. In the domain of pure theory or academic research, the dicta of these Utopia-framers are harmless. When, however, through the ambition of an autocratic prince or the folly of a turbulent populace, an attempt is made forcibly to impose their doctrines upon an existing government, the effect on human progress may be disastrous. Let us take the case of Bolingbroke.

Viscount Bolingbroke lived in the reign of Good Queen Anne, and ranked as one of her leading statesmen. Incidentally, he was noted more for his ability and statesmanship than for his integrity, and no doubt deserved Macaulay's characterization of him as "a brilliant knave". During an interval of relief from the affairs of state, Bolingbroke wrote a tract in which he gave expression to his views of the ideal government. He described therein a monarch who aspired to no less than a Roman Emperor's claim to divinity and a people so resolute and yet so self-controlled that they were to permit the use of arbitrary power to this emanation of constitutional wisdom. In 1760, when the third Hanoverian George ascended the throne, he adopted as his "vade mecum" the political doctrines promulgated by Bolingbroke. Urged by the pointed exhortation of his mother "George be King" and convinced that he had divinely succeeded to the British Crown, the "Patriot King", whose subjects called him "Farmer George", proceeded to act with all the arbitrariness of Bolingbroke's model. This policy of George the Third, supported by Lord North, led to the attempt to impose upon the American Colonies the baneful system of paternalism and resulted in the Declaration of Independence.

When we consider what a mighty empire the two great Anglo-Saxon families united would form, we might well wish that Pitt, our first great Imperialist, had been allowed to replace the incompetent lieutenant of George the Third during the crisis of the American Revolution.

The American Revolution unchained a new force which during the next half century was to affect in a remarkable way the government of every civilized nation. This force was democracy. When the meaning of the term democracy is sought, it is found to be difficult to define with accuracy. It is not so much a form of government as an ideal by which governments should be guided. That ideal is that government should, as nearly as possible, express the wishes of the whole people. Lincoln defined it tersely - "Government of the people, by the people, for the people." Centuries before Lincoln's time, Marcus Aurelius, great as an emperor and greater as a man, expressed his ideal of human government in words which display a thinker's prevision of the constitutional rights for which future ages were to struggle: "The idea of a polity in which there is the same law for all, a polity administered with regard to equal rights and equal freedom of speech and the idea of a kingly government which respects most of all the freedom of the governed." (1)

(2)

Lowell said - "The real gravamen of the charge (against democracy) lies in the habit it has of making itself generally disagreeable by asking the powers that be, at the most inconvenient moment, whether they are the powers that ought to be." (1)

In America at the time of the Revolution the auspices were particularly favourable for experiments in democratic government. More than one hundred years of rule by colonial assemblies had given the people a high degree of capacity for self government. In some of the colonies the three branches of government were chosen by the people. From the first a sturdy independence was manifested by the colonial assemblies, an attitude made easier by their distance from England; at the same time this factor of distance left the colonies unaffected by the dynastic struggles and constitutional quarrels that occupied the mother country. But while these were factors favourable to the development of democratic principles there were at the same time strong counter influences. The country's leaders, confronted with the problem of devising a system of government for the thirteen colonies, were divided on the vital question of the form of that government. The majority of the framers of the Constitution had a great sense of the dangers of democracy. These were led by Hamilton and Washington and formed the Federal party, while the minority, under Jefferson, called themselves Democrats. Lord Acton tells us: "The authors of the most celebrated democracy in history esteemed that the most formidable dangers which menaced the stability of their work were the very principles of democracy itself. With them the establishment of a republican government was not the result of theory but of necessity"; and he quotes Hamilton: "As to trusting to a democracy for the preservation of our liberties, it is the merest chimera imaginable." (2) Jefferson summed up the issue between the parties: "One party feared most the ignorance of the people, the other the selfishness of rulers independent of them." (3) The struggles of these early parties can be read in the Constitution of 1778. The Democrats secured the insertion in that famous document of the Bill of Rights, while to the efforts of the Federalists must be attributed the elaborate system of checks and balances by which the forces of democracy were restricted and divided.

How well the anti-democratic party succeeded can be seen by a comparison of the House of Representatives with the British Parliament. The former "is a body in which the ministers do not sit and which has no power of making or destroying a ministry. It is confronted by a Senate which can exercise a more real restraining power than the House of Lords. It is confronted also by a President who exercises an independent power vastly greater than a modern British sovereign. It is above all restricted by a written constitution under the protection of a great independent law court which makes it impossible for it to violate contracts, infringe the rights of the people or pass a constitutional amendment except when it is the clear wish of an overwhelming majority of the people." (4)

- (1) Lowell - "Democracy".
- (2) "Historical Essays and Studies" - (reviewed in Christian Science Monitor.)
- (3) Lecky - "Democracy and Liberty",
- (4) idem p. p.

(3)

On the other hand, the British Parliament is "a sovereign constituent assembly; it can make or unmake any law." (1)
"It can regulate the succession to the Crown, change the established religion, change the Constitution of the Kingdom or Parliament." (2)

Whatever were the checks which the Constitution of 1778 placed upon American democracy, there can be no doubt of the remarkable effect which that instrument has exerted upon the country's subsequent political growth. As a human document defining the duties of government and the rights of the governed it is without a parallel in the history of the world. It has become known to every American school child and, in a country where the temptations to political corruption are great, it has helped to develop a sense of the intimate relation of citizen and government and a realization of the responsibilities of citizenship. It has been said that the elements required for the effective working of democracy are "a high moral sense and a high moral sensitiveness." (3) Without doubt the lofty tone in which the Constitution is worded should inspire these qualities. Lord Bryce has summed up this document - "No wonder the Americans are proud of an instrument.....which has passed through the furnace of civil war, which has been found capable of embracing a body of commonwealths more than three times as numerous and with twentyfold the population of the original States, which has cultivated the political intelligence of the masses to a point reached in no other country, which has fostered and been found compatible with a larger measure of local self government than has existed elsewhere." (4)

Political development in the United States throughout the nineteenth century moved steadily in the line of democracy. One of the earliest steps was in connection with the election of the President. The aim of the founders of the Constitution was to keep the President outside the range of party politics - to "secure him against democratic dictation." Accordingly each state legislature was to choose a number of its leading citizens equal to the number of its representatives in Congress and these citizens, who were presumed to have no party affiliations, were to elect the President. Naturally as the party system spread this method failed and the more democratic method of choosing Presidential electors by manhood suffrage was substituted.

A further sign of the growth of democratic influences and one which was felt throughout the whole of this period is the gradual extension of the suffrage. Lecky, whose attitude, even when acknowledging the good features of democracy, is that of damning by faint praise, attributes this more to the desire of political parties to catch votes than to any "spontaneous demand" of the people for the franchise.

- (1) Bryce - "American Commonwealth" - from writer's notes.
- (2) Dicey - "Law of the Constitution" - from writer's notes.
- (3) Prof. Martin's - Lecture.
- (4) Bryce - Vol. 1, p. 311.