

The Liberal Tradition in America

The state exercises a great deal of power. It is legitimate for it to do some things but not others. From whence does a state derive its authority? And, how far does it extend? The typical American understanding of legitimate state power falls within the liberal tradition of political philosophy.

Please do not confuse the philosophy of political liberalism with the terms that are used by modern American politicians to describe left-wing Democrats today. The liberal tradition embraces *both* mainstream political parties operating in America, as well as most political parties in Western Europe, Australia, Japan, and other democracies. Even conservative Republicans are liberals in the sense that we will mean it in our class. This is confusing to some, so please ask if you would like clarification.

Liberals tend to hold a similar set of political beliefs, like: the right to private property, free speech, conscience, and religion, representatives chosen by elections, and equality under the law. Communists and Fascists operate outside the liberal tradition but have typically attracted few adherents in America.

Before Liberalism

In the medieval world (or, at least in this cartoon version of it), authority derived from church and custom. The secular “powers-that-be” drew their authority from long rule and Christian theology. You’ve probably heard of the “divine right of kings”. The Chinese had something similar called “the mandate of heaven”. Here is an exemplary quote from the New Testament (*Romans*, Chapter 13): “Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God.” Even the Protestant reformer, Martin Luther, sided with secular authorities against the peasant’s right of rebellion in his book “Against the Murderous, Thieving Hordes of Peasants.” In Shakespeare’s *Henry V*, the King appeals to the Archbishop of Canterbury for justification to invade France. Henry V: “may I with right and conscience make this claim?” Canterbury: “The sin upon my head, dread sovereign!”

In the medieval world, behavior was proscribed by ones birth into one of three estates: Knights, Priests, and Peasants. Knights had political and military authority, religious leaders had spiritual and moral authority, and peasants provided labor. In theory, the knights provided protection and the priests provided salvation, but in practice the peasants got shafted. Some people, like John Ball (born ~1338, died 1381), objected:

“When Adam delved and Eve span, Who was then the gentleman? From the beginning all men by nature were created alike, and our bondage or servitude came in by the unjust oppression of naughty men. For if God would have had any bondmen from the beginning, he would have appointed who should be bond, and who free. And therefore I exhort you to consider that now the time is come, appointed to us by God, in which ye may (if ye will) cast off the yoke of bondage, and recover liberty.”

John Ball and others began to argue that “all men by nature were created alike” (which is another way of saying that they were equal), and that the oppressed should reclaim their liberty. Liberalism arose out of such discontent, but it took time.

The liberal tradition was forged by many different European thinkers, including Baron de Montesquieu, Jean-Jacques Rousseau, John Stuart Mill, Adam Smith, and others. We shall focus on two: Thomas Hobbes and John Locke.

Thomas Hobbes and the “consent of the governed”

Teachers of liberal political philosophy often start with Thomas Hobbes (born 1588, died 1679), which may seem odd since his most famous book, *Leviathan*, justifies absolute monarchy. Hobbes asks a question: what would life be like without a government? His answer: terrible. Actually Hobbes says, “solitary, poor, nasty, brutish, and short.” But, why? Because, like John Ball said, all men are equal in the state of nature, they consequently present a potential threat to one another. In the state of nature, no one is so powerful that they are without fear of their neighbor, and without a central authority to ensure peace, a state of preemptive war of all-against-all reigns. Good living is impossible and there is no justice and no morality. How could there be? Also, no cooperation, no enterprise, and no ability to work profitably when there is continual fear of burglary, rape, and violent death.

As remedy, Hobbes argues, men voluntarily consent to form a community together and to create a central authority for their own protection. This “social contract” is the beginning of civil society and allows for commodious living, peace, and prosperity. The people create a monarch to rule over them for their own good. Because civil war, factions, and potential rebellion might threaten to return the people to a state-of-war, the monarch must be unitary, possess absolute authority, and prevent rebellion. Hobbes has upheld the right of kings to rule, not because they are ordained by god and custom, but because the people have consented. For Hobbes, legitimate authority derives from the consent of the governed. Reason and law have replaced tradition and custom as the source of legitimacy. Sound perfect?

John Locke and “life, liberty and property”

John Locke (born 1632, died 1704) didn’t think so. Like Hobbes, Locke imagined a world without civil society and government. In *The Second Treatise of Government*, Locke imagines a state of nature where men’s liberty is unconstrained by the power of the state. But, unlike Hobbes, Locke argues that even in a state of nature there are laws that oblige us. These “natural laws” are neither man-made nor written but are in effect. We can “read” these laws through our consciences, which tell us that certain actions are immoral and illegal. Locke argues that all of us have the right and duty to enforce the natural law for ourselves and others, simply because we are “God’s children”.

Importantly, the natural law includes the right to the ownership of our body and mind. Locke also argued that we own our own labor:

“Though the earth, and all inferior creatures, be common to all men, yet every man has a property in his own person: this no body has any right to but himself. The labour of his body, and the work of his hands, we may say, are properly his. Whatsoever then he removes out of the state that nature hath provided, and left it in, he hath mixed his labour with, and joined to it something that is his own, and thereby makes it his property.”

According to Locke, nature provides a bounty to us all in common. If an oak drops its acorns, we all may eat the acorns. However, if you gather the acorns in a bucket, then the situation has changed. You have mixed your labor with the acorns in the bucket, which are no longer property-in-common, but yours alone. (Got it? Good.)

If you find wild lands and work and sweat to plow the ground so that it brings forth wheat and corn, you plant trees for windbreaks, and you raise fences to prevent critters

from eating the crops, then that land is yours. By mixing your labor into the dirt and the ground and the land, you have removed the land from the common stock and it has become your private property. Locke says it better than I do:

“[the land] hath by this labour something annexed to it that excludes the common right of other men: for this labour being the unquestionable property of the labourer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good, left in common for others.”

“At least where there is enough and as good, left in common for others.” In other words, you may acquire property so long as doing so does not harm others. Locke’s vision was agreeable to the early American settlers. Because many Native Americans were not farmers, had not put up fences, had not cut down trees, and had not plowed fields, many pioneers and settlers argued that Native Americans had no property rights in the land. Of course, they ignored the fact that the natives *had* changed their lands in many ways to make them more livable and better hunting grounds, but that’s another matter. Anyway, ideas matter in this course and in real life.

Locke’s vision of the “state of nature” is somewhat sunnier than Hobbes’s. Locke thought that there was a natural law and that people had consciences, but that none of us is likely to be perfectly fair. Though we may try to be fair, we see our lives and our families’ lives differently than that of strangers. We are likely to be biased towards ourselves, and of course there are some who aren’t good at all. It would be a great burden to have to continually do our part to enforce the laws of nature, and we should desire to leave the state of nature. So, we make a social contract with one another to form a civil society, and we create a sovereign to rule us. For Locke, men entered into a social contract not just to escape perpetual war and horror, but to protect their natural rights; including their life, liberty, and property.

Locke and the “right of rebellion”

But what if the sovereign itself becomes a danger? For Hobbes, the sovereign should never be overthrown; Locke disagrees. Locke argues that Hobbes thinks “that men are so foolish that they take care to avoid what mischiefs may be done them by polecats or foxes, but are content, nay, think it safety, to be devoured by lions.” If the lion proves dangerous, then revolution may be necessary. If the state acts against its citizens, then it is no longer a legitimate authority. It is a tyranny. Here’s Locke, again:

“The end of Government is the good of Mankind, and which is *best for Mankind*, that the People should always be expos’d to the boundless will of Tyranny, or that the Rulers should be sometimes liable to be oppos’d, when they grow exorbitant in the use of their Power, and employ it for the destruction, and not the preservation of their People?”

The early Americans took this stuff pretty seriously, and we can see that when we look at the *Declaration of Independence*. The *D of I* sounds just like Locke.

Further Reading:

Louis Hartz. *The Liberal Tradition in America: an Interpretation of American Political Thought Since the Revolution*. New York: 1955.

Thomas Hobbes. *Leviathan*. 1651

John Locke. *Two Treatises of Government*. 1689