

# **PHILOSOPHICAL FOUNDATIONS OF OUR AMERICAN GOVERNMENT**

## **ANCIENT GOVERNMENTAL PHILOSOPHIES**

Our modern American democracy is loosely based on ideas developed by the political systems of the ancient Greeks. Some Greek city-states, like Athens, practiced a form of democracy where all male adult citizens personally participated in the creation of laws. This is known as Direct Democracy, and aspects of it survive today in America in the form of referendums, initiatives, and recall elections.

The Roman Empire contributed other aspects of a modern political system, such as specialized administrative agencies and a highly developed legal justice system.

## **BRITISH PHILOSOPHICAL FOUNDATIONS**

The United States traces its political heritage back to 13 British colonies located in the northeastern corner of what today is our country. Georgia was the southernmost of these original British colonies. As our “mother country,” Britain contributed several philosophical foundations of our U. S. Constitution:

1. **THE MAGNA CARTA (1215)**- An alliance of British barons forced King John to sign the “Great Charter” which for the first time established limits on the king’s “divine right” to rule. From the Magna Carta, we derived some important Constitutional concepts:
  - Constitutional Limits on the power of the national government
  - Trial by ones peers
  - Writ of Habeas Corpus
  - No loss of life, liberty or property without due process of law
2. **THE BRITISH PETITION OF RIGHTS (1625)**- As a result of the abusive practices of King Charles I, the British Petition of Rights was written. It also contributed several ideas into our U. S. Constitution:
  - No stationing of troops in civilian homes
  - No military trials of civilians
  - No taxes without the authority of Parliament (the British legislature)
3. **THE BRITISH BILL OF RIGHTS (1688)**- With the overthrow of King James II, the British Bill of Rights was passed which provided some aspects of our American Constitution:
  - Prohibited cruel & unusual punishment
  - Right to petition the government
  - Right to bear arms

## **“AMERICAN” PHILOSOPHICAL FOUNDATIONS**

Some originally European philosophies were adopted by American political thinkers and incorporated into our Constitution, too. Primary among these was the philosophy of Natural Law, which stated that all people were born with certain natural rights that government could not take away. Thomas Jefferson’s Preamble to the Declaration of Independence is a good example of Natural Law philosophy. John Locke’s Social Contract Theory stated that the people make an agreement with government, voluntarily surrendering some of their natural rights in return for safety and order. If the contract is broken by government, revolution is allowed and expected.

Montesquieu suggested that the national government should be divided up into three separate but interdependent branches (executive, legislative and judicial). This would create a system of “checks and balances” between the branches that would prevent the overall government, or any of the individual branches, from getting too powerful.