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## Boundless Political Science

American Politics

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### **The Tenets of American Democracy**

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## Liberty

Liberty, the ability of individuals to have control over their lives, is a central aspect of modern political philosophy.

### LEARNING OBJECTIVES

Compare and contrast positive and negative liberty

### KEY TAKEAWAYS

#### Key Points

- Enlightenment thinkers' conception of liberty was that a free individual is most free within the context of a state which provides stability through its laws.
- John Stuart Mill's *On Liberty* was the first work to recognize the difference between liberty as the freedom to act and liberty as the absence of coercion.
- The concept of liberty has long been a central aspect of the political self-definition in the United States.

**Key Terms**

- **social contract:** An implicit agreement or contract among members of a society that dictates things such as submission of individuals to the rule of law and acceptable conduct.
- **state of nature:** The state of nature is a term in political philosophy used in social contract theories to describe the hypothetical condition that preceded governments.

Liberty is the ability of individuals to have agency, or control over their own lives. There are different conceptions of liberty, which articulate the relationship of individuals to society in varying ways, including some which relate to life under a "social contract" or to existence in a "state of nature," and some which

see the active exercise of freedom and rights as essential to liberty.

**Philosophical Foundations**

The concept of liberty plays a very important role in social contract theory, particularly in its discussion of sovereignty and natural rights. The thinkers of the Enlightenment reasoned that law governed both heavenly and human affairs, and that law gave the king his power, rather than the king's power giving force to law. The conception of law as a relationship between individuals, rather than families, came to the fore, and with it the increasing focus on individual liberty as a fundamental reality, given by "Nature and Nature's God," which, in an ideal state, would be as expansive as possible. Thus,



John Stuart Mill: John Stuart Mill, author of *On Liberty*, sovereignty and natural rights. The thinkers of the Enlightenment reasoned that law governed both heavenly and human affairs, and that law gave the king his power, rather than the king's power giving force to law.

Enlightenment thinkers' conception of liberty was that a free individual is most free within the context of a state which provides stability through its laws.

Within the context of social liberty, the British philosopher John Stuart Mill, in his work *On Liberty*, sought to define the "nature and limits of the power which can be legitimately exercised by society over the individual." As such, he describes an inherent and continuous antagonism between liberty and authority. The prevailing question thus becomes "how to make the fitting adjustment between individual independence and social control."

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### Positive and Negative Liberty

*On Liberty* was the first work to recognize the difference between liberty as the freedom to act and liberty as the absence of coercion. In his book, *Two Concepts of Liberty*, the British social and political theorist Isaiah Berlin formally framed the differences between these two perspectives as the distinction between two opposite concepts of liberty: positive liberty and negative liberty. The latter designates a negative condition in which an individual is protected from tyranny and the arbitrary exercise of authority, while the former refers to having the means or opportunity, rather than the lack of restraint, to do things.

### Liberty in the United States

The concept of liberty has long been a central aspect of the political self-definition in the United States. The founders of the United States were heavily influenced by the writings of John Locke, who had declared in *Two Treatises of Government* that under natural law, all people have the right to life, liberty, and estate. In addition, under the social contract, the people could instigate a revolution against the government when it acted against the interests of citizens, and replace it with one that would serve the interests of citizens.

In a more modern context, the U.S. Supreme Court decision *Griswold v. Connecticut* established that liberties relating to personal relationships, such as marriage, have a unique primacy of place in the hierarchy of freedoms.

## Equality

Equality refers to a state of affairs in which all people within a specific society or group have the same status.

### LEARNING OBJECTIVES

Compare and contrast equality of opportunity with the outcome of opportunities

### KEY TAKEAWAYS

#### Key Points

- Social equality is a social state of affairs in which all people within a specific society or isolated group have the same status in certain respects.
- Within the United States, the issues of racial and gender equality have been particularly prevalent and the catalyst for much social and political reform through the work of the feminist and civil rights movements.
- Equality of opportunity is often contrasted with equality of outcome, and both concepts remain the topic of contentious debates in American politics.

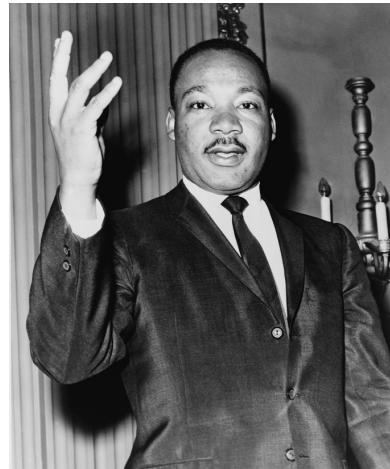
#### Key Terms

- **meritocracy:** Meritocracy, in an administrative sense, is a system of government or other administration wherein appointments and responsibilities are objectively assigned to individuals based upon their “merits” and achievements.

### Social Equality and Equality Before the Law

Social equality is a social state of affairs in which all people within a specific society or isolated group have the same status in certain respects. Social equality must include equal rights under the law, such as security, voting rights, freedom of speech and assembly, property rights, and equal access to social goods and services. However, it may also include concepts of economic equity, such as access to education, health care, and other social securities. Since social equality includes equal opportunities and obligations, it involves the whole of society.

Social equality requires the absence of legally enforced social class or caste boundaries and the absence of unjustified discrimination motivated by an inalienable part of a person's identity. For example, sex, gender, race, age, sexual orientation, origin, caste or class, income or property, language, religion, convictions, opinions, health or disability must not result in unequal treatment under the law and should not reduce opportunities unjustifiably. Within the United States, racial and gender equality issues have been particularly prevalent and the catalyst for much social and political reform through the work of the feminist and civil rights movements.



**Martin Luther King, Jr.**: Martin Luther King, Jr. was an American clergyman and activist who championed the cause of racial equality.

### Equality of Opportunity vs. Outcome

The concepts of equality of opportunity vs. outcome have been the center of much contentious debate within American politics. Equality of opportunity is a state in which all people are treated similarly, unhampered by artificial barriers, prejudices, or preferences, except when particular distinctions are warranted. Equality of opportunity – as an ideal – ensures that important jobs will go to those persons who are most qualified, rather than go to people for arbitrary or irrelevant reasons, such as circumstances of birth, upbringing, friendship ties to whoever is in power, religion, gender, ethnicity, race, caste, or “involuntary personal attributes” such as disability, age, or sexual preferences. Chances for advancement should be open to everybody interested. The concept of equal opportunity has moved beyond employment practices and is now applied to broader areas such as housing, college admissions, and voting rights. In the classical sense, equality of opportunity is closely aligned with the concepts of equality under the law and meritocracy.

Equality of outcome, in contrast, refers to a state in which people have approximately the same material wealth or, more generally, the state in which the general economic conditions of people's lives are similar. To achieve equality of outcome, it is necessary to reduce or eliminate material inequalities between individuals or households in a society. This can be done through a transfer of income and/or wealth from wealthier to poorer individuals, or adopting other institutions designed to promote equality of condition from the start. Equality of outcome remains a controversial concept, since, for example, striving for equal outcomes might require discriminating between groups to achieve these outcomes; or striving for equal opportunities in some types of treatment might lead to unequal results. Thus, policies that seek an equality of outcome often require a deviation from the strict application of concepts such as meritocracy and legal notions of equality before the law for all citizens.

## Democracy

Democracy is a form of government in which all eligible citizens have an equal say in the decisions that affect their lives.

### LEARNING OBJECTIVES

Discuss the main elements and variants of democracy as a form of government, as well as its relationship with social inclusion in U.S. history

### KEY TAKEAWAYS

#### Key Points

- There are two main variants of democracy: direct democracy and representative democracy.

- The term “democracy” is also often used as shorthand for liberal democracy, which may include elements such as political pluralism, equality before the law, civil liberties, and the existence of civil society.
- The term “democracy” first appeared in ancient Greek political and philosophical thought in the city-state of Athens.
- Although not explicitly described as a democracy by the founding fathers, the United States founders also shared a determination to root the American experiment in the principle of natural freedom and equality.

#### Key Terms

- **constitution:** The formal or informal system of primary principles and laws that regulates a government or other institutions.
- **due process:** The limits of laws and legal proceedings, so as to ensure a person fairness, justice, and liberty.

Democracy is a form of government in which all eligible citizens have an equal say in the decisions that affect their lives. Democracy allows people to participate equally—either directly or through elected representatives—in the proposal, development, and creation of laws, and encompasses social, economic, and cultural conditions that enable the free and equal practice of political determination.

Several variants of democracy exist, but there are two basic forms, both of which concern how the whole body of citizens executes its will. One form of democracy is direct democracy, in which citizens have direct and active participation in the decision making of the government. The other form is representative democracy, where the whole body of citizens remain the sovereign power but political power is exercised indirectly through elected representatives. Most modern democracies are representative democracies, the concept of which arose largely from ideas

and institutions that developed during the European Middle Ages, the Enlightenment, and the American and French Revolutions.

### **Common Understandings of Democracy**

While there is no universally accepted definition of “democracy,” equality and freedom have both been identified as important components of democracy since ancient times. These principles are reflected in all citizens being equal before the law and having equal access to legislative processes. For example, in a representative democracy, every vote has equal weight, no unreasonable restrictions can apply to anyone seeking to become a representative, and the freedom of its citizens is secured by legitimized rights and liberties which are generally protected by a constitution.

The term “democracy” is also often used as shorthand for liberal democracy, which is a variant of representative democracy that may include elements such as political pluralism, equality before the law, the right to petition elected officials for redress of grievances, due process, civil liberties, human rights, and the existence of elements of civil society outside the government. In the United States, separation of powers is often cited as a central attribute of democracy. Democracy, however, does not necessarily guarantee a good government.

Another essential part of an “ideal” representative democracy is competitive elections that are fair both substantively and procedurally. Furthermore, freedom of political expression, freedom of speech, and freedom of the press are considered to be essential rights that allow citizens to be adequately informed and able to vote according to their own interests. It has also been suggested that a basic feature of democracy is the capacity of individuals to participate freely and fully in the life of their society.

### **Ancient Origins**

The term “democracy” first appeared in ancient Greek political and philosophical thought in the city-state of Athens. Athenian democracy took the form of a direct democracy, and it had two distinguishing features:

the random selection of ordinary citizens to fill the few existing government administrative and judicial offices, and a legislative assembly consisting of all Athenian citizens. All citizens were eligible to speak and vote in the assembly, which set the laws of the city-state. However, Athenian citizenship excluded women, slaves, foreigners, and males under 20 years old.

### **Democracy in the United States**

Although not explicitly described as a democracy by the founding fathers, the United States founders also shared a determination to root the American experiment in the principle of natural freedom and equality. The United States Constitution, adopted in 1788, provided for an elected government and protected civil rights and liberties for some.

The United States is an example of a Presidential Democracy – a Presidential Democracy is a system where the public elects the president through free and fair elections. The president serves as both the head of state and head of government controlling most of the executive powers. By contrast, a parliamentary democracy is a representative democracy where government is appointed by, or can be dismissed by, representatives as opposed to a ‘presidential rule’ wherein the President is both head of state and the head of government and is elected by the voters. Some modern democracies that are predominately representative in nature also heavily rely upon forms of political action that are directly democratic. Examples include Switzerland and some U.S. states, where frequent use is made of referendums and initiatives.

### **Popular Consent, Majority Rule, and Popular Sovereignty**

Popular consent, majority rule, and popular sovereignty are related concepts that form the basis of democratic government.

#### **LEARNING OBJECTIVES**

Explain the significance of popular sovereignty and the consent of the governed for liberal democracy

## KEY TAKEAWAYS

### Key Points

- “Consent of the governed” is a phrase synonymous with a political theory wherein a government’s legitimacy and moral right to use state power is only justified and legal when derived from the people or society over which that political power is exercised.
- Majority rule is a decision rule that selects alternatives which have more than half the votes, though many argue that such a rule will lead to the “tyranny of the majority”.
- Popular sovereignty is the principle that the legitimacy of the state is created and sustained by the will or consent of its people, who are the source of all political power.

### Key Terms

- **supermajority:** Any qualified majority, specified in advance of a vote, required for the vote to be passed.
- **divine right of kings:** A political and religious doctrine of royal and political legitimacy that asserts that a monarch is subject to no earthly authority, deriving the right to rule directly from the will of God.
- **popular sovereignty:** the principle that the authority of the government is created and sustained by the consent of its people, who are the source of all political power

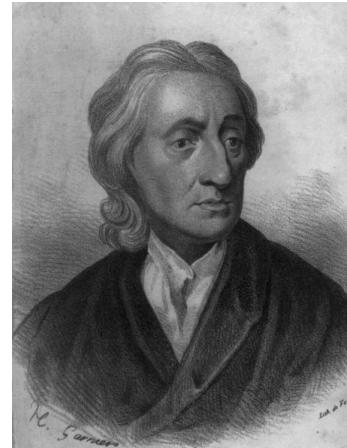
Popular consent (or the consent of the governed), majority rule, and popular sovereignty are related concepts that form the basis of democratic government.

### Consent of the Governed

“Consent of the governed” is a phrase synonymous with a political theory wherein a government’s legitimacy and moral right to use state power is only justified and legal when derived from the people or society over which that political power is exercised. This theory of “consent” is historically contrasted to the “divine right of kings” and has often been invoked against the legitimacy of colonialism.

Using thinking similar to that of English philosopher John Locke, the founders of the United States believed in a state built upon the consent of “free and equal” citizens; a state otherwise conceived would lack legitimacy and legal authority. This idea was expressed, among other places, in the 2<sup>nd</sup> paragraph of the Declaration of Independence and in the Virginia Bill of Rights, especially Section 6, quoted below:

*“That  
elections  
of members to serve as representatives of the people, in assembly,  
ought to be free; and that all men, having sufficient evidence of permanent common interest with, the attachment to, the community, have the  
right of  
suffrage*



John Locke: John Locke was an English philosopher whose writings on the consent of the governed heavily influenced the founders of the United States

*, and cannot be taxed or deprived of their property for publick uses without their own consent, or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assented, for the public good*

“

### Majority Rule

Majority rule is a decision rule that selects the option which has more than half the votes. It is the decision rule used most often in influential decision-making bodies, including the legislatures of democratic nations. Some scholars have recommended against the use of majority rule, at least under certain circumstances, due to an ostensible trade-off between the benefits of majority rule and other values important to a democratic society. Most famously, it has been argued that majority rule might lead to a “tyranny of the majority,” and the use of a supermajority and constitutional limits on government power have been recommended to mitigate these effects. Recently some voting theorists have argued that majority rule is the rule that best protects minorities.

### Popular Sovereignty

Popular sovereignty in its modern sense, that is, including all the people and not just noblemen, is an idea that dates to the social contracts school (mid-17th to mid-18th centuries), represented by Thomas Hobbes (1588–1679), John Locke (1632–1704), and Jean-Jacques Rousseau (1712–1778), author of *The Social Contract*, a prominent political work that clearly highlighted the ideals of “general will” and further matured the idea of popular sovereignty. The central tenet is that legitimacy of rule or of law is based on the consent of the governed. Popular sovereignty is thus a basic tenet of most democracies. Whether men were seen as naturally more prone to violence and rapine (Hobbes) or cooperation and kindness (Rousseau), the idea that a legitimate social order emerges only when the liberties and duties are equal among citizens binds the social contract thinkers to the concept of popular sovereignty. Although Rousseau argues that sovereignty (or the power to make the laws) should be in the hands of the people, he also makes a sharp distinction

between the sovereign and the government. The government is composed of magistrates, charged with implementing and enforcing the general will. The “sovereign” is the rule of law, ideally decided on by direct democracy in an assembly.

The American Revolution marked a departure in the concept of popular sovereignty as it had been discussed and employed in the European historical context. With the American Revolution, Americans substituted the sovereignty in the person of King George III, with a collective sovereign—one composed of the people. Thenceforth, American revolutionaries generally agreed and were committed to the principle that governments were legitimate only if they rested on popular sovereignty—that is, the sovereignty of the people. This idea—often linked with the notion of the consent of the governed—was not invented by the American revolutionaries. Rather, the consent of the governed and the idea of the people as a sovereign had clear 17<sup>th</sup> and 18<sup>th</sup> century intellectual roots in English history.

## Individualism

Individualism is a philosophy that stresses the value and rights of the individual vis-a-vis society and government.

### LEARNING OBJECTIVES

Define individualism as a political philosophy and ideology

### KEY TAKEAWAYS

#### Key Points

- Individualists are chiefly concerned with protecting individual autonomy against obligations imposed by social

institutions (such as the state or religious morality).

- Civil liberties are rights and freedoms that provide an individual specific rights such as the freedom from slavery and forced labor, freedom from torture and death, the right to liberty and security, the right to a fair trial, and more.
- Because civil libertarianism is collection of views on the specific issues of civil liberties and civil rights, it is compatible with many other political philosophies and found on both the right and left in modern politics.

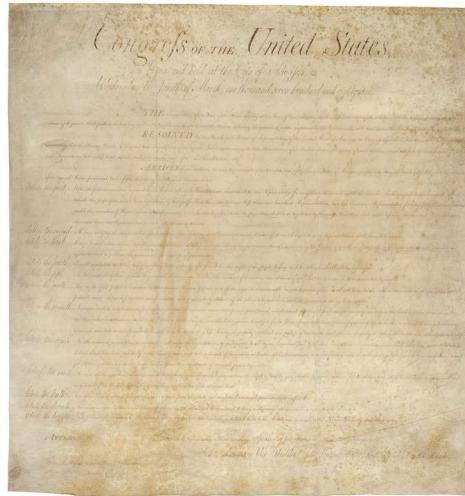
#### Key Terms

- **self-reliance:** the capacity to rely on one's own capabilities, and to manage one's own affairs; independence not to be dependent.
- **liberalism:** Any political movement founded on the autonomy and personal freedom of the individual, progress and reform, and government by law with the consent of the governed.
- **anarchism:** The belief that proposes the absence and abolition of hierarchy and authority in most forms.

Individualism is the moral stance, political philosophy, ideology, or social outlook that stresses the moral worth of the individual. Individualists promote the exercise of one's goals and desires and so value independence and self-reliance while opposing external interference upon one's own interests by society or institutions such as the government.

Individualism, sometimes closely associated with certain variants of anarchism or liberalism, typically takes it for granted that individuals know best and that public authority or society has no right to interfere in a person's decision-making process, unless a very compelling need to do so arises (and maybe not even in those circumstances). This type of argument can occur in policy debates regarding regulation of industries, as well as in relation to personal choice of lifestyle.

Individualists are chiefly concerned with protecting individual autonomy against obligations imposed by social institutions (such as the state or religious morality). Civil liberties are rights and freedoms that provide an individual specific rights such as the freedom from slavery and forced labor, freedom from torture and death, the right to liberty and security, right to a fair trial, the right to defend one's self, the right to own and bear arms, the right to privacy, freedom of conscience, freedom of expression, freedom of assembly and association, and the right to marry and have a family.



**The Bill of Rights of the United States of American:** The U.S. Constitution, seen here, protects civil liberties.

Civil libertarianism is not a complete ideology; rather, it is a collection of views on the specific issues of civil liberties and civil rights. Because of this, a civil libertarian outlook is compatible with many other political philosophies, and civil libertarianism is found on both the right and left in modern politics.

Individualism is often contrasted either with totalitarianism or with collectivism, but in fact there is a spectrum of behaviors at the societal level

ranging from highly individualistic societies through mixed societies to collectivist societies.

## Religious Freedom

Freedom of religion is a principle that allows an individual or community to manifest religion or belief in teaching, practice, worship, and observance.

### LEARNING OBJECTIVES

Illustrate the principle of “religious freedom” in the United States to different scenarios

### KEY TAKEAWAYS

#### Key Points

- Freedom of religion is considered by many nations to be a fundamental human right.
- In the United States, freedom of religion is a constitutionally guaranteed right provided in the religion clauses of the First Amendment.
- Controversy continues within the U.S. between those who wish to restrict government involvement with religious institutions and remove religious references from government institutions and property, and those who wish to loosen such prohibitions.

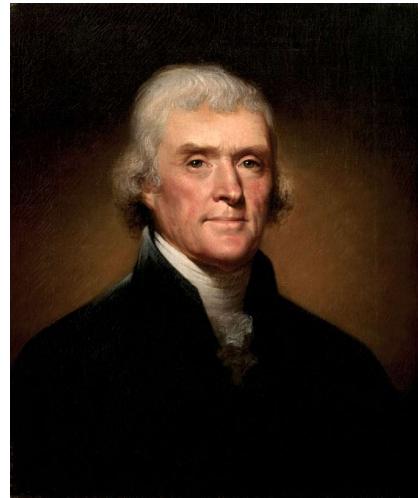
#### Key Terms

- **separation of church and state:** The distance in the relationship between organized religion and the nation

state.

Freedom of religion is a principle that supports the freedom of an individual or community, in public or private, to manifest religion or belief in teaching, practice, worship, and observance. This concept is generally recognized also to include the freedom to change a religion, leave a religion, or not to follow any religion. Freedom of religion is considered by many nations to be a fundamental human right.

In the United States, freedom of religion is a constitutionally guaranteed right provided in the religion clauses of the First Amendment. Freedom of religion is also closely associated with the separation of church and state, a concept advocated by Thomas Jefferson.



**Thomas Jefferson, Founding Father and 3rd President of the United States:** Thomas Jefferson, third President of the United States, who advocated for separation of church and state.

Controversy continues within the U.S. between those who wish to restrict government involvement with religious institutions and remove religious

references from government institutions and property, and those who wish to loosen such prohibitions. Advocates for stronger separation of church and state emphasize the plurality of faiths and non-faiths in the country, and what they see as the broad guarantees of the Constitution. Their opponents emphasize what they see as the largely Christian heritage and history of the nation (often citing the references to "Nature's God" and the "Creator" of men in the Declaration of Independence.)

The United States formally considers religious freedom in its foreign relations. The International Religious Freedom Act of 1998 established the United States Commission on International Religious Freedom, which investigates the records of over 200 other nations with respect to religious freedom, and makes recommendations to submit nations with egregious records to ongoing scrutiny and possible economic sanctions. Many human rights organizations have urged the United States to be even more vigorous in imposing sanctions on countries that do not permit or tolerate religious freedom.

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