

January 1932

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Recommended Citation

James H. Teller, The Development of Popular Government, 9 Dicta 333 (1932).

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THE DEVELOPMENT OF POPULAR GOVERNMENT

By Judge James H. Teller, of the Denver Bar

WHILE it might be supposed that in primitive times men would be under no delusion as to the divine right to rule, the contrary seems generally to have been the fact. The earliest historic and legendary forms of government were monarchical, or oligarchical. In Persian, Babylonian, and Egyptian history we find a throne at the farthest limits of our research; in Greece and the Ionian cities kings ruled in the heroic days of which Homer sang; and in Italy the story of monarchy goes back to the time when the mythical and the historical are inextricably mingled.

How these ideas of government were evolved we cannot ascertain. We know that they are not all traceable to a common source; that they were developed in different places and periods, and often without the benefit of the experiences of the race in other lands. The blond giants of Germany were slowly working out a system of government, deriving no real aid, for centuries at least, from Greece and Rome where different systems had grown up through the centuries without help from the experience of the nations which had arisen, grown old and perished in the valley of the Nile and on the plains of Chaldea before Cadmus sowed the dragon's teeth, or Romulus built his wall upon the banks of the Yellow Tiber.

The tendency toward monarchy in the childhood of the race seems to have been a survival of a primitive instinct, manifested in the brute creation in the acceptance of a leader by the flocks and herds. Democracy, the rule of the many, on the other hand, is the product of thought. It is based upon the political equality of men, and the recognition of that equality must precede the acceptance of the doctrine that the people are sovereign.

With all writers on the subject the history of popular government begins in Greece. In insignificant provinces and towns the Greeks worked out great political problems. "Independent and self-centered, they created in constant struggle of citizen with citizen and state with state, the groundwork of those forms of government which have been established in

the world at large. We see Monarchy, Aristocracy, Democracy rising side by side, and one from the other, the change being regulated in each community by its past experience and its special interest in the immediate present. These forms of government did not appear in their normal simplicity, or in conformity with a distinct ideal, but under the modifications necessary to give them vitality."

In Athens, in the year 594 B. C. the first democratic government came into being under the leadership of Solon, a cultivated and well to do merchant. It was the result of a peaceable revolution due to bad laws, misgovernment, and consequent distress and discontent.

The state had been governed first by kings, and then by an oligarchy consisting of wealthy families which engaged in frequent quarrels over the control of the state, and gave scant attention to the interests of the people. At last the condition of the masses became intolerable. The laws permitted a creditor to seize the person of his debtor, and the debtor might and often did sell his minor sons, his unmarried daughters, and his sisters into slavery. The rapacity of the rich landowners had reduced the cultivating tenants to a state of abject poverty, while bad laws and a system of oppression had loaded small properties with debts far beyond their ability to pay. In this condition the mass of sufferers determined to find some mode of relief, and were in a state of mutiny against the law. Out of this situation arose the first government based upon a recognition of popular rights, though the recognition was but partial. It was not due to any abstract theory of rights, nor, so far as can be seen, to a purely humanitarian purpose. It was the work of necessity, accomplished by a master mind which grasped the fact that the producers were a vital constituent of the state, and must be granted relief. So when the governing oligarchy was unable to collect the debts of its members, or to maintain their rule, they called Solon to the First Archonship, and entrusted to him, by general consent, the duty of formulating a new system of law.

The fact that he prohibited the enslaving of citizens of Attica, cancelled the debts of the very poor, and relieved the middle class debtors by a change in the monetary system, is evidence that he possessed the true democratic instinct, and

placed men above property. This system which was to be continued for ten years without the possibility of change, was not, Solon declared, an ideal system, but was the best which the people would accept. In later times all reformatory legislation was attributed in a loose way to Solon; hence it is impossible to determine exactly the limits of his work. While this was the beginning of democratic government, it is too much to say that it was truly democratic as we now use the term. Neither the right of suffrage nor the right to hold office was universal, even among citizens. Landowners were divided into three classes, according to the income of their lands, each class having definite privileges and duties. This probably excluded some of the former governing class, or Eupatridae, and included some not of that class, and so tended to break down the old oligarchic institutions. Only those having the necessary property qualifications could hold office. Property owners not eligible to hold office were given the elective franchise, together with the right of examining, on the expiration of each term of office, into the way its duties had been discharged. Thus the community at large was admitted to possess supreme power, and this recognition of the people's sovereignty has been regarded as Solon's principal achievement.

The sovereignty of the Demos was further recognized in the establishment of the Council of 400 whose duty it was to determine the subjects on which the assembly of the people was to deliberate, and to watch over the execution of their decrees. The Areopagus, on the other hand, was a body of aristocratic tendencies, consisting of those who had served in the office of Archon. Its function was to maintain the laws in their integrity.

To these two bodies Solon is said to have attributed the security of the new system.

Here the people are first recognized as indispensable in the domestic affairs of the Commonwealth.

While this government was thirty years later overthrown, and displaced for fifty years, it was finally restored and improved, and continued in force for three centuries.

It is worthy of notice that Democracy prevailed in the Golden Age of the most brilliant nation of all history; that

under a free government was produced the greatest constellation of genius which the world has ever seen, the masters of poetry, sculpture, philosophy and history appearing in a single era; that a government of the people produced the first real city of the western world, became the first great maritime power, successfully repelled the greatest invasion of all time, and gave to the world those examples of heroism which have made Marathon and Plataea forever synonyms of heroic devotion and exalted patriotism.

Thus in this small land was demonstrated, once for all, that for the highest development of art and letters there is need neither of the patronage of nobility, nor the largess of kings; and that in a country, poorly endowed by nature, a self-governing people may, in all intellectual and material accomplishments, far surpass their neighbors in more favored lands where the political rights of men are denied.

DICTA DISSERTATIONS

To seek knowledge is better than to have knowledge.—*David Starr Jordan.*

If a man empties his purse into his head, no one can take it from him.—*Franklin.*

No one is useless in this world who lightens the burden of it to anyone else.—*Dickens.*

The trustworthiness of men trusted seems often to grow with the trust.—*Woodrow Wilson.*

“A certain amount of opposition is a great help to a man; kites rise against and not with the wind.”—*Carlyle.*

There is nothing noble in being superior to some other man. The true nobility is in being superior to your previous self.—*Hindoo Sayings.*

Character is higher than intellect. A great soul will be strong to live, as well as to think.—*Emerson.*