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The Virginia Statute for Religious Freedom: The Road to the First Amendment

Many colonists came to America to escape religious persecution. But colonies soon adopted laws that limited religious freedom and forced to people to pay taxes to support churches they did not believe in. Dissenters started protesting to abolish those laws. An important change came in 1786 when Virginia passed the Statute for Religious Freedom. Drafted by Thomas Jefferson, the new law served as a model for the First Amendment. It established a clear separation of church and state and was one of Jefferson's proudest accomplishments.

Most of the early colonists in America came from England. Many who settled in the South—the Plantation colonies—belonged to the Church of England, or Anglican Church. In Virginia, ministers were required to preach Christianity according to the "doctrine, rites and religion" practiced by the Church of England. A law passed in 1611 required everyone to attend church on the Sabbath. A later law imposed a tax to pay for church ministers' salaries and to build new churches, and it allowed only Anglican clergymen to perform a marriage ceremony. Similar establishment laws were passed in North and South Carolina and in Georgia.

U S HISTORY

In Maryland, the Church of England was also the established church. Because many Catholics lived in Maryland, the colony passed an Act of Toleration in 1649. The law provided toleration to all Christians, but it also decreed a death penalty for people, like atheists or Jews, who denied the divinity of Jesus.

In New England, colonists also passed laws involving the government in religion. Most of the early settlers in Massachusetts, Connecticut, and New Hampshire were Puritans who belonged to the Congregational Church. For the first 50 years in the Bay Colony—which became Massachusetts—no resident of the colony could vote unless he belonged to the Congregational Church. Later laws

A wave of religious persecution took place in Virginia in the 1770s. This oil painting shows a group of Anglicans attacking two Baptists. (Library of Congress/Virginia Baptist Historical Society)

(Continued on next page)

Tyranny

This edition of *Bill of Rights in Action* examines issues related to tyranny. One of the most basic freedoms, often repressed in tyrannous regimes, is religious freedom. Our first article looks at the Virginia Statute of Religious Freedom, the inspiration for the First Amendment's religious protections. The second article explores what the ancient Greek philosophers Plato and Aristotle thought about tyranny and the rule of law. The last article examines the recent history of Nigeria and its struggle against tyranny and corruption.

U.S. History: Virginia Statute for Religious Freedom
World History: Plato and Aristotle on Tyranny
Government: Nigeria

Guest writer Lucy Eisenberg, Esq., wrote the piece on the Virginia Statute of Religious Freedom. Erin Ryan contributed the article on Plato and Aristotle. Our longtime contributor Carlton Martz wrote the article on Nigeria.

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required each town to maintain an "able, learned and orthodox minister" paid for by the town's taxpayers. Because Congregationalists were in the majority in most towns, the law left others, like Anglicans, Baptists and Quakers, out in the cold. Similar laws existed in Connecticut, New Hampshire, New York City, and other parts of New York.

1776 and Freedom of Worship

On July 4, 1776, the Continental Congress in Philadelphia approved the Declaration of Independence. Two months earlier, a Virginia convention had already declared independence from England and called on the other colonies to do the same. As in Philadelphia, the delegates in Virginia decided to write a document stating the moral basis for their decision. They produced the Virginia Declaration of Rights, which included a list—or "bill"—of rights. Article 16 was drafted by George Mason and by a 25-year-old delegate named James Madison. (Later, Madison became known as the "father" of the U.S. Constitution and was elected the fourth president of the United States.)

Madison's draft provided that "all men are equally entitled to the full and free exercise of religion, according to the dictates of conscience." The Virginia Declaration's promise of full freedom of religion generated enthusiasm among the colony's non-Anglicans. They were becoming increasingly angry about the restrictions the established church imposed on them.

Dissenters had been petitioning in Virginia since 1772 to change the laws that gave special privileges to the Anglican Church. They wanted an end to the taxes that supported the established church. They wanted their clergy to be allowed to perform marriages. And they wanted to abolish the law that required non-Anglican clergy to apply for a license and to get authorization for holding a religious service. The number of Baptists, Methodists, and Presbyterians was growing, and their call for more religious freedom became louder when Article 16 of the Declaration of Rights was passed on June 12, 1776.

The Fight to Separate Church and State

In the autumn of 1776, Virginia's new House of Delegates met and welcomed back Thomas Jefferson. Jefferson was 33 years old and already an important figure. He had been a delegate to the Continental Congress and was the author of the Declaration of Independence. Now back in Virginia, Jefferson decided to help create a new form of government for his state. In October, he proposed a complete revision of the state's laws. Key among the laws that Jefferson believed needed to be rewritten were the restrictions on religious freedom. Jefferson strongly believed not only in freedom of worship, but also in an end to all control and support of religion by the state.


A BILL *for eſtabliſhing* RELIGIOUS FREEDOM,
printed for the conſideration of the PEOPLE.

WELL aware that the opinions and belief of men depend not on their own will, but follow involuntarily the evidence proposed to their minds; that Almighty God hath created the mind free; and manifeſted his ſupreme will that free it ſhall remain, by making it altogether inſuſceptible of reſtraint: That all attempts to influence it by temporal puniſhments or burthens, or by civil incapacitations, tend only to beget habits of hypocriſy and meanneſs, and are a departure from the plan of the holy author of our religion, who being Lord both of body and mind, yet choſe not to propagate it by coercions on either, as was in his Almighty power to do, but to extend it by its influence on reaſon alone: That the impoſition of legiſlators and rulers, civil as well as eccleſiaſtical, who, being themſelves but fallible and uninſpired men, have aſſumed dominion over the faith of others, ſetting up their own opinions and modes of thinking, as the only true and infallible, and as ſuch, endeavouring to impoſe them on others, hath eſtabliſhed and maintained falſe religions over the greateſt part of the world, and through all time: That to compel a man to furniſh contributions of money for the propagation of opinions which he diſbelieves and abhors, is ſinful and tyrannical: That even the forcing him to ſupport this or that teacher of his own religious perſuaſion, is depriving him of the comfortable liberty of giving his contributions to the particular paſtor whoſe morals he would make his pattern, and whoſe powers he feels moſt perſuaſive to righteouſneſs, and is withdrawing from the Miniſtry thoſe temporal rewards which, proceeding from an approbation of their perſonal conduct, are an additional incitement to earneſt and unremitting labour for the inſtruction of mankind: That our civil rights have no dependance on our religious opinions, any more than our opinions in phyſics or geometry: That therefore the proſcribing any citizen as unworthy the public confidence, by laying upon him an incapacity of being called to offices of truſt and emolument, unleſs he profeſſ or renounce this or that religious opinion, is depriving him injuriouſly of thoſe privileges and advantages to which, in common with his fellow citizens he has a natural right: That it tends alſo to corrupt the principles of that very religion it is meant to encourage, by bribing with a monopoly of worldly honours and emoluments, thoſe who will externally profeſs and conform to it: That though indeed theſe are criminal who do not withſtand ſuch temptation, yet neither are thoſe innocent who lay the bait in their way: That the opinions of men are not the object of civil government, nor under its juriſdiction: That to ſuffer the civil Magiſtrate to intrude his powers into the field of opinion, and to reſtrain the profeſſion or propagation of principles on ſuppoſition of their ill tendency, is a dangerous fallacy, which at once deſtroys all religious liberty; becauſe he being of conſeſt judge of that tendency will aſſume to himſelf the right of impoſing on others, becauſe the opinions of others only as they ſhall ſquare with, or differ from his own: That it is time enough for the rightful purpoſes of civil government for its officers to interfere when principles break out into overt acts againſt peace and good order: And finally, that truth is great and will prevail if left to herſelf; that ſhe is the proper and ſufficient antagoniſt to error, and has nothing to fear from the conflict, unleſs by human interpoſition, diſarmed of her natural weapons, free argument and debate; errors ceaſing to be dangerous when it is permitted freely to combat them.

WE the General Aſſembly of *Virginia* do enact, that no man ſhall be compelled to frequent or ſupport any religious Worſhip place or Miniſtry whatſoever, nor ſhall be enforced, reſtrained, moleſted, or burthened in his body or goods, nor ſhall otherwiſe ſuffer on account of his religious opinions or belief; but that all men ſhall be free to profeſs, and by argument to maintain their opinions in matters of religion, and that the ſame ſhall in no wiſe diminiſh, enlarge, or affect their civil capacities.

AND though we well know that this Aſſembly, elected by the people for the ordinary purpoſes of legiſlation only, have no power to reſtrain the acts of ſucceeding Aſſemblies, conſtituted with powers equal to our own, and that therefore to declare this act irrevocable would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby aſſerted are of the natural rights of mankind, and that if any act ſhall hereafter paſſed to repeal the preſent, or to narrow its operation, ſuch act will be an infringement of natural right.

The Virginia Statute for Religious Freedom removed all links between religion and government. (Library of Congress)

After two years of work, Jefferson and his Committee of Revisors presented a list of 126 proposed laws to the Virginia Assembly in June 1779. Many of the new laws were minor changes. But Bill No. 82 was a major change. Drafted by Jefferson, the bill removed all links between religion and government. In a lengthy preamble, the bill laid powerful reasons for de-establishing religion. It is, Jefferson wrote, "sinful and tyrannical" to compel a man to furnish contributions of money "for the propagation of opinions which he disbelieves and abhors. . . . Our civil rights," he wrote, "have no dependence on our religious opinions, any more than our opinions on physics and geometry." Be it therefore enacted, the Bill stated:

> that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever . . . nor shall otherwise suffer on account of his religious opinions or belief, but that all men shall be free to profess, and by argument to maintain, their opinions in matters of Religion . . . .

Bill No. 82 was not the only bill before the Assembly concerning religion. Churchmen, worried about losing public support for their ministries, introduced a compromise General Assessment bill. Under the General Assessment bill, any church subscribed to by five males over the age of 21 would become a Church of the Established Religion of the Commonwealth and receive state support. The Legislature thus faced two contradictory bills about a subject that aroused deep emotions and concerns among Virginians.

The fight over whether to have an established church continued for almost six years. Patrick Henry introduced a modified version of the General Assessment bill in 1784. Henry was a popular hero, who had just served three one-year terms as governor. His bill was also a "multiple establishment" bill. It provided for an annual tax to support the Christian religion or "some Christian church, denomination or worship." It was supported by many of the most powerful men in the Legislature and backed by Anglicans, Presbyterians, and Methodists. Jefferson's bill was supported by Baptists and evangelicals, who generally believed in the principle of voluntary support.

Jefferson was not present during the six years that the Legislature was fighting about religion (serving as governor, congressman, and then as minister to France). The job of passing Bill No. 82 fell to James Madison, a skillful politician and close ally of Jefferson. In the summer of 1785, Madison wrote a dramatic petition titled "Memorial and Remonstrance Against Religious Assessments." Madison urged the Legislature not to pass the General Assessment bill, arguing that religion should be exempt from the authority of any legislative body and left "to the conviction and conscience of every man."

Religion, he wrote, is a right like other rights and liberties, and if we do not want to allow the Legislature to "sweep away all our fundamental rights," then we must say that they must leave "this particular right untouched and sacred." Madison believed that giving the state control over religion would be the same as allowing it to control—and limit—other important liberties as well:

> Either we must say, that they may controul the freedom of the press, may abolish the Trial by Jury, may swallow up the Executive and Judiciary Powers of the State; nay that they may despoil us of our very right of suffrage, and erect themselves into an independent and hereditary Assembly or, we must say, that they have no authority to enact into the law the Bill under consideration.

Copies of Madison's Memorial were distributed throughout the state and helped create a storm of popular protest. The Memorial was signed and sent to the Legislature by thousands of residents who opposed the notion of an established church. Numerous other petitions with over 11,000 signatures were also sent to legislators' desks, and nine out of 10 condemned the bill for General Assessment. Responding to the public outcry, when the Legislature reconvened in January 1786, it passed Jefferson's bill by a margin of 60 to 27.

No National Church: The First Amendment

A year after Virginia enacted the Statute for Religious Freedom, the U.S. Constitution was drafted and sent to the states for ratification. James Madison, the person most instrumental in writing the new Constitution, passionately supported it. When a convention met in Virginia to consider ratification, many delegates opposed the Constitution because it did not include a bill of rights to protect important liberties like freedom of religion.

Madison argued that the Constitution did not need a bill of rights. Congress had no authority over religion, and

Colonies With Established Churches in 1775

Colony	Church	Disestablished in
Connecticut	Congregational	1818
Georgia	Anglican	1777
Maryland	Anglican	1777
Massachusetts	Congregational	1833
New Hampshire	Congregational	1819
New York*	Anglican	1777
North Carolina	Anglican	1776
South Carolina	Anglican	1778
Virginia	Anglican	1786

The remaining colonies did not have established churches: Delaware, New Jersey, Pennsylvania, and Rhode Island.

*Established churches existed only in New York City and three nearby counties.

Source: *The American Pageant*

(Continued on next page)

Virginia, like many other states, had its own constitution that included a bill of rights. But to satisfy the opposition, he promised that as soon as the Constitution was ratified, he would propose amendments to include a bill of rights.

Madison kept his promise. The U.S. Constitution was officially ratified in June 1788, and the First Congress met in New York in March 1789. Three months later, on June 8, 1789, Congressman James Madison from Virginia rose and proposed a series of amendments. The section on religion read:

> The Civil Rights of none shall be abridged on account of religious belief or worship, nor shall any national religion be established, nor shall the full and equal rights of conscience be in any manner, nor on any pretext infringed.

In September, after three months of debate, Congress passed a revised clause protecting religious freedom in the First Amendment:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . . .

When the First Amendment passed, three states still had laws providing government support for churches. But with the establishment clause in place, the United States had no power to establish a national religion or to support multiple establishments of the Christian church.

After the Civil War, the 14th Amendment was enacted. In later rulings, the U.S. Supreme Court found that the 14th Amendment incorporated all the protections of the First Amendment. That means the First Amendment today guards against establishment laws passed by state and local government as well those passed by the national government.

Jefferson's Role in the Statute

The U.S. Constitution's First Amendment incorporated the principles stated in the Statute of Religious Freedom. The statute was passed largely through the hard work of James Madison, and Madison also played a significant role in drafting the First Amendment and in shepherding it through Congress. But the guiding light behind the statute was its author, Thomas Jefferson.

Jefferson believed strongly that religious beliefs should be solely a matter of individual conscience. He wrote in a January 1802 letter to a group of Baptists:

> Believing with you that religion is a matter which lies solely between man & his God . . . , that the legislative powers of government reach actions only, & not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between Church & State.

The Supreme Court has used the phrase "wall of separation between Church and State" in many of its First Amendment opinions. "Coming as this does from an acknowledged leader of the advocates of the measure, it may be accepted almost as an authoritative declaration of the scope and effect of the amendment thus secured," wrote U.S. Chief Justice Waite in the case of *Reynolds v. U.S.* (1878).

Jefferson took great pride in his role in bringing religious freedom to Virginia and ultimately to the United States. Evidence of that pride is the epitaph for his tombstone, which he wrote near the end of his life. He did not want mentioned that he had served as president of the United States, secretary of state, governor of Virginia, or minister to France. Instead, his tombstone reads:

A Bill Establishing a Provision for Teachers of the Christian Religion

submitted by Patrick Henry

Whereas the general diffusion of Christian knowledge hath a natural tendency to correct the morals of men, restrain their vices, and preserve the peace of society; which cannot be effected without a competent provision for learned teachers, who may be thereby enabled to devote their time and attention to the duty of instructing such citizens, as from their circumstances and want of education, cannot otherwise attain such knowledge; and it is judged that such provision may be made by the Legislature, without counteracting the liberal principle heretofore adopted and intended to be preserved by abolishing all distinctions of pre-eminence amongst the different societies or communities of Christians . . . .

This is the preamble to Henry's modified version of the General Assessment bill. It sets out his reasons for supporting his bill.

Here was Buried
Thomas Jefferson
Author of the
Declaration of American Independence
of the
Statute of Virginia
for
Religious Freedom
and Father of the
University of Virginia

For Discussion

1. What is an established church? Cite examples from the article of different types of establishment laws. What are problems that might arise from establishment laws?
2. What was the Virginia Statute for Religious Freedom? Who favored it? Who opposed it? Why was it important? Why do you think Jefferson was so proud of it?
3. The First Amendment, in part, reads: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . . ." What does it mean?
4. Other democracies, such as the United Kingdom, Denmark, and Israel, have established religions. Do you think individual states or the United States should have an established religion? Why or why not?

Thomas Jefferson is buried at Monticello, his Virginia estate. (Wikimedia Commons)

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ACTIVITY

Madison vs. Henry

James Madison worked hard to get the Virginia Statute for Religious Freedom passed. His main opponent was Patrick Henry, who offered a counter bill. Henry delivered a series of speeches in favor of his bill. They were so powerful that they prompted Madison to write his "Memorial and Remonstrance Against Religious Assessments," which met widespread approval and led to the Legislature passing the Virginia Statute for Religious Freedom.

In this activity, you are going to role play Madison and Henry and debate which bill should be supported.

1. Form groups of seven. Select two members to role play Madison and a colleague, two members to role play Henry and a colleague. The other three role play members of the Virginia Legislature.
2. The Madison and Henry teams should prepare arguments for their sides using information from the article (both sides should be sure to look at the sidebar "A Bill Establishing a Provision for Teachers of the Christian Religion," which is the preamble to Henry's bill).
3. The three other members of each group should prepare questions to ask each side.
4. When both sides are ready, they should hold a debate over their respective bills.
5. When done, the whole class should discuss the best arguments they heard in their group and what made them powerful arguments.

Plato and Aristotle on Tyranny and the Rule of Law

Nearly 2,400 years ago, the Greek philosophers Plato and Aristotle explored political philosophy. Aristotle concluded that "it is evident that the form of government is best in which every man, whoever he is, can act best and live happily."

In Philadelphia some 2,000 years after Plato and Aristotle's time, a group of men was trying to write a constitution. George Washington, James Madison, and the other framers of the Constitution were dedicated to constructing a just government. Americans had overthrown what they considered a tyrannous British government. The framers wanted to create a national government free of tyranny, governed by the rule of law.

The new American nation was quite different from the ancient Greek city-states. Still, many of the framers at Philadelphia had studied and understood Plato's and Aristotle's political philosophies. And they were grappling with many of the same political questions.

Tyranny and the Rule of Law

Plato and Aristotle both developed important ideas about government and politics. Two of the many political subjects that these men wrote about were tyranny and the rule of law. Tyranny occurs when absolute power is granted to a ruler. In a tyrannical government, the ruler becomes corrupt and uses his power to further his own interests instead of working for the common good.

The rule of law is the principle that no one is exempt from the law, even those who are in a position of power. The rule of law can serve as a safeguard against tyranny, because just laws ensure that rulers do not become corrupt.

Athenian Democracy

Both Plato and Aristotle lived in the democratic Greek city-state of Athens. In Athenian democracy, all male citizens directly participated in making laws and deciding jury trials. Yearly elections decided who would fill important government positions. Citizens drew lots to see who would staff the remaining posts.

Athens had reached its height in political power before Plato was born. Its decline began with a long war with Sparta, a rival city-state. The war ended in 404 B.C. with Athens' defeat. Athens regained its democracy, but shortly after Plato's death, the city-state fell under the control of Macedon, a kingdom north of Greece. The city remained, however, a cultural center.

This detail from a famous Renaissance artwork titled The School of Athens *shows Plato (left) and Aristotle discussing their differences. (Wikimedia Commons)*

Plato (c. 428–347 B.C.)

Plato was a student of Socrates. Socrates taught by asking questions about a subject and getting his students to think critically about it. Today, this is known as the Socratic method, used by many professors in law schools.

Socrates' questioning often led to criticism of Athenian democracy and its politicians. An increasing number of Athenians viewed Socrates as a threat to their city-state.

A few years after losing the war with Sparta, Athens put the 70-year-old Socrates on trial for not accepting the gods of Athens and for corrupting the young. Socrates denied the accusations, but he was found guilty and sentenced to death.

When Socrates died, Plato concluded that democracy was a corrupt and unjust form of government. He left Athens for a decade. Returning in 387 B.C., he established a school of higher learning called the Academy.

WORLD HISTORY

Plato's *Republic*

Plato's most important work on politics is his *Republic*, published around 380 B.C. Written as a dialogue among characters and set in a private home, the book describes a small group of Athenians discussing political philosophy. The main character is Socrates, who voiced Plato's ideas. (The real Socrates never wrote down his ideas.)

The Republic examines the meaning of justice, looks at different types of government, and outlines the ideal state. It touches on many subjects, including law and tyranny.

Plato looked at four existing forms of government and found them unstable. The best, in his view, is timocracy, a military state, like Sparta, based on honor. But such a state will fall apart:

> The accumulation of gold in the treasury of private individuals is the ruin of timocracy; they invent illegal modes of expenditure; for what do they or their wives care about the law? . . . . And then one, seeing another grow rich, seeks to rival him, and thus the great mass of the citizens become lovers of money. . . . And so at last, instead of loving contention and glory, men become lovers of trade and money; they honor and look up to the rich man, and make a ruler of him, and dishonor the poor man.

An oligarchy, the rule of a few (the rich), leads to

> a city of the rich and a city of the poor, dwelling together, and always plotting against one another. . . . [The government] will not be able to wage war, because of the necessity of either arming and employing the multitude, and fearing them more than the enemy, or else, if they do not make use of them, of finding themselves on the field of battle . . . And to this must be added their reluctance to contribute money, because they are lovers of money.

The poor will overthrow the oligarchy and set up a democracy, the rule of the people (the poor). Plato thought that democratic "life has neither law nor order." An unquenchable desire for limitless liberty causes disorder, because the citizens begin to

> chafe impatiently at the least touch of authority and at length, . . . they cease to care even for the laws, written or unwritten; they will have no one over them.

Stressing moderation, Plato warned that "the excessive increase of anything often causes a reaction in the opposite direction," such that the "excess of liberty, whether in states or individuals, seems only to pass into excess of slavery."

Like an oligarchy, a democracy pits the poor against the rich. The poor see the rich plotting, and they seek protection:

> The people have always some champion whom they set over them and nurse into greatness. . . . This and no other is the root from which a tyrant springs; when he first appears above ground he is a protector. . . . having a mob entirely at his disposal, he is not restrained from shedding the blood of kinsmen; . . . he brings them into court and murders them . . . at the same time hinting at the abolition of debts and partition of lands. . . . After a while he is driven out, but comes back, in spite of his enemies, a tyrant full grown.

Plato deemed tyranny the "fourth and worst disorder of a state." Tyrants lack "the very faculty that is the instrument of judgment"—reason. The tyrannical man is enslaved because the best part of him (reason) is enslaved, and likewise, the tyrannical state is enslaved, because it too lacks reason and order.

In a tyranny, no outside governing power controls the tyrant's selfish behavior. To Plato, the law can guard against tyranny. In the *Republic*, he called the law an "external authority" that functions as the "ally of the whole city."

Plato stressed the importance of law in his other works. In the *Crito*, a dialogue between Socrates and his friend Crito, Crito offers Socrates a way to escape his impending execution. Socrates refuses, explaining that when a citizen chooses to live in a state, he "has entered into an implied contract that he will do as . . . [the laws] command him." In Plato's *Laws*, his last book, he summarizes his stance on the rule of law:

> Where the law is subject to some other authority and has none of its own, the collapse of the state, in my view, is not far off; but if law is the master of the government and the government is its slave, then the situation is full of promise and men enjoy all the blessings that the gods shower on a state.

Plato's Ideal State

Class	Composed of . . .	Soul	Interest	Education	Property	Family
Lower	farmers, craftsmen, commoners	appetite	pleasure	NO	YES	YES
Warrior	soldiers & police	spirit	honor & glory	YES	NO	NO
Ruling	philosophers	reason	wisdom	YES	NO	NO

Plato's ideal and just state is an aristocracy, the rule of the best. He believed leaders needed to be wise and trained in how to run a state, just as captains of ships are trained in how to run a ship.

He divided his ideal state into three classes. The lowest and largest class is the producers: the farmers, craftsmen, traders, and others involved in commerce. The next class is the warriors, those who defend the state. They are educated in sports, combat, and philosophy and tested by both terrifying and tempting situations. From the best of warrior class, the ruling class is drawn. Its members will study philosophy and be given government and military positions until age 50, when the best of them become philosopher kings.

Plato believed every human's soul is divided into three parts: appetite, spirit, and reason. Each of his three classes matches one aspect of a person's soul. The lower class is linked to appetite, and it owns all the land and controls all the wealth. The warrior class is spirited and lives by a code of honor. The ruling class is linked to reason and lives to gain wisdom.

The philosopher kings will prefer seeking truth to ruling, but a law will compel them to rule. They will obey the law and take their turns as rulers.

> [T]he truth is that the State in which the rulers are most reluctant to govern is always the best and most quietly governed, and the State in which they are most eager, the worst.

The warrior and ruling classes live in barracks, eat together, and share possessions. None has families. All children of these classes are brought up without knowing their parents. In this way, Plato tries to keep these classes from gaining wealth or producing family dynasties.

Plato concluded:

> Until philosophers are kings, or the kings and princes of this world have the spirit and power of philosophy, and political greatness and wisdom meet in one, . . . cities will never have rest from their evils . . . .

Aristotle (384–322 B.C.)

Born in the north of Greece, Aristotle came from a family linked to the kingdom of Macedon. His father worked for the king as a court doctor.

When Aristotle grew up, he studied philosophy at Plato's Academy for 20 years, leaving when Plato died. He traveled and then tutored the king of Macedon's 13-year-old son, Alexander (the future Alexander the Great).

When Alexander became king of Macedon in 335 B.C., Aristotle returned to Athens to set up his own school, called the Lyceum. He studied, catalogued, lectured, debated, and wrote about every area of human knowledge.

Although Plato had been his teacher, Aristotle disagreed with much of Plato's philosophy. Plato was an idealist, who believed that everything had an ideal form. Aristotle believed in looking at the real world and studying it.

Aristotle spent many years teaching in Athens, which was under the control of Macedon. When Alexander the Great died, however, anti-Macedonians took control of Athens. Linked to Macedon, Aristotle was accused of not accepting the gods of Athens, one of the same charges leveled against Socrates. Unlike Socrates, however, Aristotle did not stand trial. He fled to a home in the countryside, saying, as the story goes, that he did not want Athens to "sin twice against philosophy" (its first sin being the execution of Socrates). Aristotle died the following year in exile.

Aristotle's *Politics*

Like Plato, Aristotle, wrote extensively on the subjects of tyranny and the rule of law. He hoped that his *Politics*, a collection of essays on government, would provide direction for rulers, statesmen, and politicians.

In *The Politics*, Aristotle *rejected* Plato's ideal state. He said that it fails to address conflicts that will arise among its citizens. He claimed Plato's ideal state will

> contain two states in one, each hostile to the other . . . . [Plato] makes the guardians [the warriors] into a mere occupying garrison, while the husbandmen and artisans and the rest are the real citizens. But if so, the suits and quarrels and all the evils which *Socrates* affirms to exist in other states, will exist equally among them. He says indeed that, having so good an education, the citizens will not need many laws, . . . but then he confines his education to the guardians.

Unlike *The Republic*, *The Politics* does not depict an ideal system of government. Instead, Aristotle explored practical constitutions that city-states can realistically put into effect. His aim was to "consider, not only what form of government is best, but also what is possible and what is easily attainable."

He studied the different governments in Greece's many city-states. He identified six different kinds of constitutions, and he classified them as either "true" or "despotic." (Despotic is a synonym for "tyrannic.") He stated that

Aristotle's 'True' vs. 'Despotic' Forms of Government

Number of Rulers	'True' (Common Interest)	'Despotic' (Selfish Interest)
one	Monarchy	Tyranny
few	Aristocracy	Oligarchy
many	Polity	Democracy

> governments which have a regard to the common interest are constituted in accordance with strict principles of justice, and are therefore true forms; but those which regard only the interest of the rulers are all defective and perverted forms, for they are despotic . . . .

"True" constitutions served the common interests of all citizens. "Despotic" constitutions served only the selfish interests of a certain person or group. The chart at the bottom of page 8 shows the "despotic" and "true" constitutions.

Tyranny perverts monarchy, because it "has in view the interest of the monarch only." To Aristotle, tyranny is the

> arbitrary power of an individual . . . responsible to no one, [which] governs . . . with a view to its own advantage, not to that of its subjects, and therefore against their will.

Aristotle wrote, "No freeman, if he can escape from it, will endure such a government."

Aristotle believed that tyranny is the "very reverse of a constitution," because "the laws have no authority."

Aristotle held views similar to Plato's about the dangers of democracy and oligarchy. He feared that both pitted the rich against the poor. But he recognized that these types of governments took many forms. The worst were those without the rule of law. In democracies without law, demagogues (leaders appealing to emotions) took over.

> For in democracies where the laws are not supreme, demagogues spring up. . . . [T]his sort of democracy . . . [is] what tyranny is to other forms of monarchy. The spirit of both is the same, and they alike exercise a despotic rule over the better citizens. The decrees of the [demagogues] correspond to the edicts of the tyrant . . . . Such a democracy is fairly open to the objection that it is not a constitution at all; for where the laws have no authority, there is no constitution. The law ought to be supreme over all . . . .

Aristotle made the same argument about oligarchies.

> When . . . the rulers have great wealth and numerous friends, this sort of family despotism approaches a monarchy; individuals rule and not the law. This is the fourth sort of oligarchy, and is analogous to the last sort of democracy.

Aristotle stated that "the rule of law . . . is preferable to that of any individual." This is because individuals possess flaws and could tailor government to their own individual interests, whereas the rule of law is objective.

The U.S. Constitution was designed to prevent tyranny and promote the rule of law. (Wikimedia Commons)

> [H]e who bids the law rule may be deemed to bid God and Reason alone rule, but he who bids man rule adds an element of the beast; for desire is a wild beast, and passion perverts the minds of rulers, even when they are the best of men. The law is reason unaffected by desire.

Rulers must be "the servants of the laws," because "law is order, and good law is good order."

In addition to law, Aristotle believed a large middle class would protect against the excesses of oligarchy and democracy:

> [T]he best political community is formed by citizens of the middle class, and that those states are likely to be well-administered in which the middle class is large, and stronger if possible than both the other classes . . . ; for the addition of the middle class turns the scale, and prevents either of the extremes from being dominant.

In fact, one of Aristotle's true forms of government is a polity, a combination of oligarchy and democracy. This type of state arises when the middle class is strong.

The U.S. Constitution

Like Plato and Aristotle, our nation's founders worried about tyrannical government. Recognizing that tyranny could come from a single powerful ruler or from "mob rule," the founders wrote into the Constitution mechanisms to prevent tyranny and promote the rule of law. They separated the powers of government into three equal branches of government: the executive (the president), the legislative (Congress), and the judicial (the Supreme Court). Each branch can check the other to prevent corruption or tyranny. Congress itself is divided into the House of Representatives and the Senate. The House, elected for two-year terms, is more likely to be swayed by the passions of the people than the Senate, elected to six-year terms. The Constitution further

(Continued on next page)

limits the powers of the government by listing its powers: The government may not exercise any power beyond those listed. The first 10 amendments to the Constitution, the Bill of Rights, protect people's liberties and freedoms from government encroachment. In creating the judicial branch of government, the framers gave federal judges lifetime terms, thus ensuring that judges would base their decisions on the law and not on politics.

For Discussion

1. What is the rule of law? How can it help prevent tyranny?
2. James Madison, the "father" of the U.S. Constitution, wrote in *The Federalist Papers* #55: "Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob." What did he mean by this? Do you agree? Explain.
3. Which ideas of Plato might be useful in today's society? Why? Which ideas of Aristotle? Why?
4. British Prime Minister Winston Churchill (1874–1965) once said that "democracy is the worst form of government except all those other forms . . . ." What did he mean? Do you agree? Explain.
5. At the end of their lives, Socrates and Aristotle faced a similar situation. In your opinion, who made the correct decision? Why?
6. What is a republic? Is Plato's ideal state a republic? Explain.

ACTIVITY

Plato and Aristotle in Modern Times

In this activity, students will examine and discuss political quotations from Plato and Aristotle. Divide the class into small groups. Assign one of the quotations to each group. Each group should:

1. Discuss and answer the following questions:
   a. What does the quotation mean?
   b. Do you agree with it? Why or why not?
   c. How well does the American political system address or handle this issue?
2. Be prepared to report your answers and reasons for them to the class. If you have extra time, discuss another quotation.

Quotations

1. [T]he best political community is formed by citizens of the middle class, and that those states are likely to be well-administered in which the middle class is large, and stronger if possible than both the other classes . . . . —Aristotle
2. The best laws, though sanctioned by every citizen of the state, will be of no avail unless the young are trained by habit and education in the spirit of the constitution . . . . —Aristotle
3. [I]f law is the master of the government and the government is its slave, then the situation is full of promise and men enjoy all the blessings that the gods shower on a state. —Plato
4. If the poor . . . because they are more in number, divide among themselves the property of the rich—is not this unjust? . . . But is it just then that the few and the wealthy should be the rulers? And what if they, in like manner, rob and plunder the people—is this just? —Aristotle
5. The people have always some champion whom they set over them and nurse into greatness. . . . This and no other is the root from which a tyrant springs; when he first appears above ground he is a protector. . . having a mob entirely at his disposal . . . . —Plato

Nigeria: After 50 Years, Still Struggling to Be a Democracy

When Nigeria became independent 50 years ago, it expected to lead Africa to prosperity and democracy. But ethnic and religious violence, rigged elections, military takeovers, and a greedy political class have drained the hopes of Nigerians.

High-rise buildings dot the skyline of Lagos, Nigeria's most populous city. (Wikipedia/Salamsm)

Nigeria, Africa's most populous nation, is composed of more than 250 ethnic groups, speaking many languages. Three ethnic groups, however, dominate this West African country.

Today the Hausa-Fulani, two peoples who merged in the 1800s, is the largest ethnic group, making up nearly 30 percent of Nigeria's population. The Hausa-Fulani live mainly in the country's north region. The Yoruba and Igbo with homelands in the south make up about 20 percent of Nigeria's people. The remaining 30 percent are members of small ethnic minorities.

People first inhabited the area surrounding the Niger River thousands of years ago. Over the centuries, kingdoms and empires rose and fell, usually as the result of warfare.

In the 1300s, Muslim preachers who followed caravan routes from North Africa began to convert the Hausa, Fulani, and to a lesser extent the Yoruba to Islam. Their kings, however, did not enforce a strict form of it.

Around 1790, a Muslim preacher led a jihad (holy war) to establish a purified form of Islam. The result was the Sokoto Caliphate, an Islamic religious empire ruled by a sultan from the northern city of Sokoto.

In the 1500s, the British, French, and Dutch arrived along the southern coastline of Nigeria to trade guns, manufactured goods, and liquor for slaves. (The slave trade ended in the 1860s.) By the mid-1800s, European and American Christian missionaries were making many converts, especially among the Igbo in the southeast. Christian preachers were not successful in the heavily Muslim north.

GOVERNMENT

In the 1860s, Nigeria expanded its trade with Britain. The British bought Nigerian products such as palm oil (for candles and soap), rubber, coffee, cacao, and tin. Soon, British companies controlled the production and sale of these products. As the demand for them grew, Britain conquered additional areas of Nigeria, including the Muslim Sokoto Caliphate.

In 1885, the European powers divided Africa among themselves and drew boundaries for their colonies, including those for Nigeria that remain to this day. The Europeans drew colony boundaries that often split apart ethnic groups or combined those hostile to one another, as in Nigeria.

In 1914, Britain combined the areas under its control in Nigeria into one colony. The British adopted an indirect form of colonial government. This permitted the Hausa-Fulani Muslim political class in the north to continue to rule, but under British supervision. In this region, the Hausa language and culture along with Islam remained strong.

In the Yoruba and Igbo regions of the south, the British educated a select class of Nigerians (frequently Christian converts) to assist in administering the colony. The Yoruba and Igbo political classes accepted Christianity, adopted European ways, and learned English, which is the official language of Nigeria today.

After World War II, many of Europe's colonies in Africa demanded independence. To prepare Nigeria for independence, Britain created a Nigerian federal state with a central government and governments for each of the three regions. The Hausa-Fulani, Yoruba, and Igbo each formed a political party in the region they dominated. This tended to emphasize the ethnic differences of the country rather than Nigerian nationhood.

A few years before independence, European companies discovered vast oil deposits in the Niger River Delta. This seemed to assure a bright future for Nigeria. But many things went awfully wrong.

The First Republic

On October 1, 1960, Great Britain declared Nigeria an independent nation with Abubakar Balewa, a northern Muslim, as head of state. The Nigerians established a federal republic with a parliamentary government modeled on Great Britain's.

(Continued on next page)

Many Nigerians believed their country would become the "giant of Africa." Nigeria had a large population, experienced government administrators, and valuable natural resources such as oil. Nigeria looked destined to show other African countries the way to prosperity and democracy.

As the Nigerians took over from the British, however, the three major ethnic political parties competed to win control of the national wealth. Most of this wealth came from selling oil production leases to foreign companies. The Hausa-Fulani, Yoruba, and Igbo political leaders wanted the oil money to enrich themselves, their followers, and their regions. Thus, greed and corruption soon became common in Nigerian politics.

The ethnic party that won control of Nigeria's parliament controlled the oil leases, the import trade licenses, government construction projects, and jobs. Even more important were the bribes that went along with them.

The first national election under the newly formed federal republic, took place in 1964. Desperate to win to get their hands on Nigeria's considerable oil wealth, politicians used bribery, vote rigging, and even violence to win.

Election fraud led to months of political party conflict and deal making. In the end, the Northern People's Congress Party, representing mostly Hausa-Fulani Muslims, held a slight majority of seats in the parliament. The majority chose Abubakar Balewa as prime minister. He appointed government officials mostly from his party.

Over the next two years, corruption reigned. With oil money flowing into the pockets of government officials and their friends, the ruling party ignored the needs of the Nigerian people.

Military Rule I

Fearing the Muslim Hausa-Fulani would never give up control of the government, Igbo military officers from the heavily Christian southeast staged a military coup (government take-over) in 1966. Nearly 30 members of the government, including Prime Minister Balewa, were murdered.

Almost immediately, Hausa-Fulani soldiers began to attack Igbo soldiers. This led to a second coup that violently replaced Igbo rule with northern Hausa-Fulani military officers. The Igbo southeast region refused to accept control of the federal government by the northerners.

Ethnic hatred kept boiling over as the new military regime's soldiers began to massacre Igbos. The Igbos retaliated against northerners. The slaughters resulted in the death of about 8,000 soldiers and civilians. More than a million Igbos fled back to their homeland.

In May 1967, the Igbo southeast region seceded from Nigeria and declared itself the Republic of Biafra. The Nigerian military regime invaded Biafra and established a naval blockade to cut off imports of weapons and food.

The Nigerian Civil War lasted more than two years and killed about 1 million people, mostly Biafrans. More of them died from starvation than bullets. Nigeria's blockade and superior military force finally crushed Biafra by early 1970.

Nigeria had a chance to start all over again in the 1970s. The military regime's leader, Gen. Jack Gowon, successfully drew the Igbos back into the Nigerian federation. He also created Nigerian states in order to increase the political influence of the minorities and lessen that of the three dominant ethnic groups. Finally, he promised a return to civilian elected government.

In the 1970s, high world oil prices injected huge amounts of cash into Nigeria's treasury. In fact, Nigeria became one of the richest countries in the world. But the military officers in charge of running the government turned out to be just as greedy for a cut of the oil money as elected politicians had been.

The oil revenue could have modernized Nigeria's agriculture, developed its manufacturing, built roads and electricity grids, financed schools and colleges, and accomplished many other things for the Nigerian people. Some progress toward these goals did happen in the "golden '70s."

But Nigeria soon became what economists call a classic "rentier state." These states usually depend on the world market price of a single valuable natural resource such as gold, diamonds, or oil. Rentier states often make the mistake of collecting and spending their unearned revenues on expensive imports rather than investing them in economic development and the welfare of their people. Nigeria made this mistake by neglecting manufacturing and food and cash crop agriculture. Thus, Nigeria became vulnerable to economic booms and busts, depending on the price of oil.

By 1975, money from oil leases and exports made up 80 percent of Nigeria's total national income. Nigeria got used to importing luxuries like expensive cars, most of its other manufactured goods, and even food. The military regime created many government jobs and boosted wages to gain public support.

Many Nigerians abandoned farms for the high-paying government jobs in the cities. Food got more expensive. The country's traditional export crops like coffee and rubber declined. Nigerians invested little in private enterprises. After all, the oil money kept rolling in without anybody really having to work for it.

In the late 1970s, however, world oil prices crashed. Nigeria suddenly found itself short of cash. It became a nation in debt. Unemployment kept rising.

Shehu Shagari was the president of Nigeria's Second Republic from 1979 to 1983. (Wikimedia Commons)

The Second Republic

Faced with economic decline and the growing unpopularity of military rule, a new regime leader, Gen. Olusegun Obasanjo, supervised the writing of a second constitution. It enabled the people to elect a president directly. The constitution also required all political parties to include different ethnic groups from all parts of the country.

In 1979, Shehu Shagari of the conservative National Party of Nigeria won the presidency in a relatively fair election. Thus began Nigeria's Second Republic.

At first, Shagari's government took positive steps to improve Nigeria by expanding the public school system, universities, and hospitals. It did not take long, however, for party politicians to capture the machinery of the federal government and distribute jobs, contracts, and favors to their followers. Government officials again feasted on bribery and other kinds of corruption while most Nigerians suffered high unemployment and inflated food prices.

In the heavily Muslim north, an Islamic preacher provoked riots against the corrupt and secular (non-religious) government. He called for the revival of pure Islamic faith throughout Nigeria and demanded death to those who opposed it. Rioting killed more than 10,000 persons, often brutally with machetes, before the army finally restored order.

In 1983, amid widespread reports of massive election fraud, Shagari and his party were re-elected to power. The Nigerian people seemed to lose confidence in the civilian government and even democracy itself. At the end of the year, another military coup overthrew President Shagari's government. Military rule returned to Nigeria.

Military Rule II

A new string of military rulers proved to be just as incompetent as the civilians in managing Nigeria's worsening economy. Continuing low oil prices caused more unemployment and a drastic drop in the standard of living for all Nigerians except for the corrupt officials in the military government. In the midst of this economic disaster, religious conflict between Muslims and Christians erupted.

Since Muslims make up the country's largest religious group, some have long demanded that Nigeria become an officially Islamic nation. They have called for Islamic religious law, called *Sharia*, to apply throughout the land. The Christian minority has opposed such a move, fearing second-class citizenship and even their mass slaughter.

In 1989, the military government oversaw the writing of another constitution. The new document declared that federal and state governments "shall not adopt any religion as State Religion." It did, however, permit states to create Islamic courts to apply the *Sharia*, but only to Muslims. Christians and other non-Muslims could still go to civil courts that applied secular laws passed by the federal government.

The compromise over religion and the law did not satisfy Muslims who wanted the *Sharia* applied everywhere or Christians who wanted no mention of the *Sharia* in the constitution. This dispute led to outbreaks of violence between the two religious groups.

In 1993, Gen. Sanni Abacha grabbed control of the military government and brought on Nigeria's worst period of dictatorship. He imprisoned his opponents, gagged the press, and staged a phony election in which all "official" political parties nominated him for president. He also looted the treasury and encouraged a "rush to steal" among others in his government.

Gen. Abacha suddenly died under mysterious circumstances in 1998. His military replacement announced a timetable for the return of civilian-elected government

A New Try for Democracy

In 1999, a new try for democracy resulted in the election of Olusegun Obasanjo as president. Obasanjo, a retired general and former military ruler, along with his People's Democratic Party, won control of the government by a wide margin.

Despite many reports of election fraud, the Nigerian people accepted the new civilian government. They did this to prevent another military take-over.

In 2003, President Obasanjo won re-election in another vote tainted with ballot-box stuffing, the use of child voters, and other forms of fraud. During his two terms, corruption continued among the civilian political class that ran the government.

(Continued on next page)

By this time, Nigeria was one of the 20 poorest nations in the world. This astounding development mocked Nigeria's ambition to become the "giant of Africa."

During President Obasanjo's two terms, a major dispute arose over the distribution of oil revenues. Complaints came from the Nigerian states and especially the ethnic minorities who lived in the Niger River Delta, the country's main oil producing area. The U.S. gets 10 percent of its oil imports from the Delta.

The Delta minorities complained bitterly that they got little money from the oil taken from their lands. Moreover, 50 years of careless oil spills by big foreign companies like Shell Petroleum severely polluted Delta farmlands and fishing waters.

The Delta minorities began to organize peaceful protests against Nigeria's government and the oil companies in the early 1990s. The minorities demanded a fair share of oil revenue from the government and help from oil companies to get clean water, electricity, and health care. The Ogoni minority declared, "[I]t is intolerable that one of the richest areas of Nigeria should wallow in abject poverty and destitution."

When their peaceful demands got nowhere, some protesters turned violent. They sabotaged oil facilities and pipelines, kidnapped and killed company workers, and clashed with the army. In addition, widespread stealing of oil caused up to a 15 percent drop in daily production. As time went on, youth gangs emerged to kidnap, steal, and extort money for their own benefit.

President Obasanjo tried and failed to change the constitution to allow him to run for a third term. Obasanjo, a Christian from the south, then handpicked a former Muslim governor of a northern state, Umaru Yar'Adua, to run as the presidential candidate of his People's Democratic Party. The party has an unwritten rule that candidates for president must rotate between a southerner and a northerner after two terms.

Known as an honest politician, Yar'Adua promised to reform the government. In 2007, he won easily, but in perhaps Nigeria's most corrupt election. Nevertheless, he became the first elected Nigerian president to take power from another elected president. Moreover, a Gallup Poll found that 82 percent of Nigerians favored democracy as the best form of government followed by 8 percent for military rule and 6 percent for a religious government.

Illness prevented Yar'Adua from accomplishing much reform. He did, however, negotiate a shaky truce in the Delta that reduced violence there. After an extended period of medical treatment, Yar'Adua died on May 5, 2010. The vice president with the unlikely name of Goodluck Jonathan, a southern Christian, replaced him.

President Jonathan faces numerous longstanding problems in Nigeria. Great distrust still prevails between the Hausa-Fulani in the north and the Yoruba and Igbo in the south. Violence between Muslims and Christians recently broke out again. No agreement exists on a fair distribution of oil revenue among the states and Delta minorities. The fragile truce in the Delta is starting to fall apart.

In addition, the dependence on oil money for most of Nigeria's income rather than a diverse economy has enabled a deeply entrenched and corrupt political class. One historian has called Nigeria a "kleptocracy," a form of government that exists for the political class to loot it.

A new presidential election is due in 2011. If southerner Goodluck Jonathan decides to run, he will violate his party's rule that another northerner should fill what would have been Yar'Adua's second term. More political turmoil could result. Whatever the outcome, the military will be lurking in the background.

For Discussion and Writing

1. Why was Nigeria referred to as the potential "giant of Africa"?
2. What prevented it from achieving its potential? What do you think is Nigeria's most serious problem today? Why?
3. What is a "rentier state"? What examples other than Nigeria can you think of in the world today?

For Further Reading

Falola, Toyin. *The History of Nigeria.* Westport, Conn.: Greenwood Press, 1999.

Joseph, Richard and Gillies, Alexandra. "Nigeria's Season of Uncertainty." *Current History.* May 2010: 179-185.

A C T I V I T Y

The Future of Nigeria

The article identifies three major problems that Nigeria faces: (1) ethnic divisions, (2) its economic dependence on oil, and (3) corruption. Imagine that the Nigerian government has hired you to advise it on how to address these problems.

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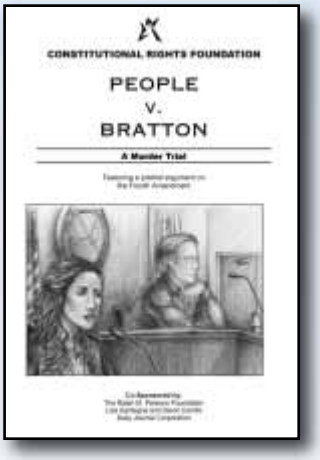

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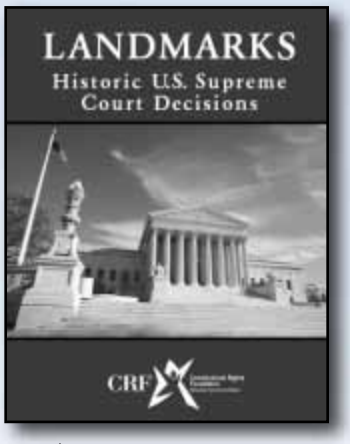

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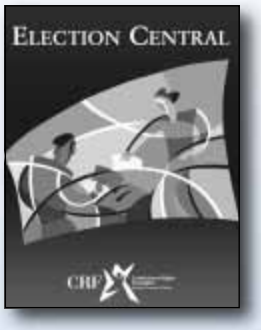

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