

Franklin's Political Theories

BY
MALCOLM R. EISELEN



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Chapter III

FRANKLIN'S CONCEPTION OF GOVERNMENT

Most political philosophers are not content until they have established an elaborate philosophical conception of the basis of all human government. Franklin was satisfied, rather, to accept the political state as an existent entity, concerning the origin of which the practical mind had little need to trouble itself. Occasionally, however, he found in the nature of the state such arguments as might be applied to some impending problem of practical politics, and from his expressions at these times it is possible to reconstruct his ideas as to the fundamental nature of government.

From relatively infrequent references, it is evident that Franklin accepted the social compact theory of Locke and his followers. Like them, he had the conception of an original, pre-political state of nature in which men were absolutely free and equal—a condition which he thought admirably illustrated among the American Indians. This was not, as Hobbes believed, a state of "bellum omnium contra omnes," but rather a sort of armed neutrality, in which "the Savage's Bow, his Hatchet, and his Coat of Skins were sufficiently secured, without Law, by the fear of personal Resentment and Retaliation."¹ As the

¹ Franklin (Smyth), IX, 293.

wants and possessions of the individual increased, man conceived the necessity of some more ordered system of human relationships. Accordingly, government was created by means of a contract in which each one voluntarily surrendered enough of his absolute freedom to permit the establishment of an organized authority. This government was established "for the Security of our Liberties, Property, Religion and everything that is dear to us,"¹ and was to be "nothing else but the Attendance of the Trustees of the People upon the Interest and Affairs of the People."² Since government had for its sole purpose the happiness and security of the individual, it closely followed that it could derive its just powers only from the consent of the governed.

According to Franklin, the social contract was a compact between equals, uniting for a common purpose.³ He absolutely rejected Hobbes' proposition that submission to force represented an implied contractual relationship.⁴ This acceptance of the principle of inherent equality accounts for the essentially democratic features of Franklin's political philosophy.⁵ At the same time, within the limits prescribed by the implied contract, he believed that the power of the public will must be unrestricted. For instance, Franklin wrote concerning the duty of the citizen to pay taxes, "All the Property that is necessary to a

¹ Unpublished manuscript in library of Amer. Phil. Soc., Philadelphia.

² Franklin (Smyth), II, 26.

³ Franklin's marginal note on Ramsay, *Thoughts on the Origin and Nature of Government*, pp. 10, 12.

⁴ Cf. Hobbes, *Leviathan*, chap. 20.

⁵ Cf. Chapter XII, *infra*.

Man, for the Conservation of the Individual and the Propagation of the Species, is his Natural Right, which none can justly deprive him of: But all Property superfluous to such purposes is the Property of the Publick, who, by their Laws, have created it, and who may therefore by other Laws dispose of it, whenever the Welfare of the Public shall demand such Disposition. He that does not like Civil Society on these Terms, let him retire and live among Savages."¹

It should be noted, however, that although Franklin thus subordinated the will of the individual to the welfare of the social organism, he believed in actual practice that it was expedient to leave the individual with as large a degree of freedom from governmental control as was possible.

Franklin's broad conception of the powers of government did not prevent him from affirming that there were things which it could not do. Like most of the colonists, he maintained the existence of a body of natural rights, antedating the existence of government and superior to it in authority.² Issuing from these human rights and reinforcing them, were those fundamental rights of all Englishmen which found expression in the imperishable provisions of the Magna Charta, the Petition of Right, and the Bill of Rights. Taken collectively, these rights constitute the essence of the cherished institution of civil liberty, "that heavenly Blessing, without which Mankind lose

¹ Franklin (Smyth), IX, 138. Cf. Locke, *Two Treatises of Government*, II, sect. 96.

² Cf. Locke, *Two Treatises of Government*, II, sec. 135-142.

half their Dignity and Value." ¹ The existence of these rights was so self-evident to Franklin that he mentions them only incidentally, but among those which he specifically enumerates are the familiar triumvirate of life, liberty, and property; freedom of speech and religion; the right of petition, and the right of unrestricted migration. Of these, the most vital to all eighteenth-century Americans was the right to the enjoyment of property; for around that principle the entire revolutionary controversy came to be centered. On this point, Franklin consistently maintained the popular view. "Do not every Man's Feelings," he said, "declare that his Property is not to be taken from him without his consent?" ²

From these great underlying principles, Franklin followed Locke in the easy transition to the acceptance of the indefeasible right of revolution. ³ Since the people were to be considered the basis of all legitimate political authority, no sovereignty could come into existence or continue to exist unless the people consented to and authorized it. Where a government became destructive of the very ends for which it was established, it was the natural right and duty of the people to change it. ⁴ Although Franklin labored to the last to preserve the unity of the British empire, he never denied that the colonies had a moral and legal right to separate, whenever the imperial

¹ Unpublished manuscript in library of Amer. Phil. Soc., Philadelphia.

² Franklin's note on Ramsay, *op. cit.*, p. 27.

³ Cf. Locke, *Two Treatises of Government*, II, sec. 149, 221-222.

⁴ Unpublished manuscript in library of University of Pennsylvania, Philadelphia, Pa.

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connection failed to justify its continued existence. These briefly, were the fundamental principles of Franklin's political creed. They were neither original nor unique, but were shared by most Americans of the time. Such widely divergent beliefs as those of Thomas Jefferson and Alexander Hamilton were reared upon exactly the same foundations. The distinguishing features of his theory must be sought in the refinements of detail with which these principles were applied. Strictly utilitarian in nature, Franklin's political theories cannot be divorced from their settings, but rather must be considered in close relation to the events which produced them. For this reason, the detailed discussion which follows is episodic rather than topical, and has been, wherever possible, centered about outstanding events in Franklin's political career.