

AN INDUCTIVE STUDY  
OF THE POLITICAL PHILOSOPHY  
OF JOHN MILTON AS  
OUTLINED IN HIS PAMPHLETS  
"The Tenure Of Kings And Magistrates"  
And  
"The Ready And Easy Way To Establish  
A Free Commonwealth"

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Milton's reputation does not rest upon his success as a political philosopher. In fact, judging by his influence on the mainstream of political theory from 1650 to the present, one may conclude that his famous contemporaries, Thomas Hobbes and John Locke, have made larger and more significant contributions to the thinking of succeeding generations of political philosophers than he. The reason for this is not hard to ascertain.

Milton was primarily a political controversialist, not a political philosopher. For the most part his prose works were written in answer to the immediate political problems of his own time. In "The Tenure Of Kings And Magistrates", for example, Milton's purpose was not to give a general, academic defense of the doctrine of tyrannicide but to justify the specific act of Parliament which condemned Charles to the block. What his pamphlets lack therefore in newness of idea, they gain in forcefulness and breadth.<sup>1</sup>

But inherent in the controversial positions which Milton took was a philosophy. It is the purpose of this paper to reconstruct that philosophy and to evaluate it critically.

In "The Tenure Of Kings And Magistrates" Milton states his methodological approach. At first he states it negatively:

If men within themselves would be governed by reason, and not generally give up their understanding to a double tyranny of custom from without, and blind affections within, they would discern better what it is to favor and uphold the tyrant of a nation.<sup>2</sup>

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<sup>1</sup>William Archibald Dunning, A History Of Political Theories (New York: The Macmillan Co., 1931), p. 242.

<sup>2</sup>John Milton, "The Tenure Of Kings And Magistrates", The Text, p. 754.

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From this passage one may conclude three things about Milton's methodology:

1. Milton considered himself definitely outside the pale of English constitutionalism. While this statement did not preclude the possibility of illustrating his arguments from history, it at least established the fact that he would not argue from English law and precedent.
2. By this as well he has waived an empirical, inductive approach to political philosophy. Empiricism must take custom into account. Milton, however, felt that custom offered such an unreliable guide to truth that it could not be trusted.
3. The only approach open to him under these circumstances was a rational, deductive approach. Rather than observe the phenomena of political life and abstract his hypotheses from these observations he must begin with the generalizations he felt could be made about man as a political creature and work down from them to the particular details of his system.

Was this the methodology which he finally adopted? One may test it by turning to a later passage in the same prose pamphlet.

No man, who knows aught, can be so stupid to deny, that all men naturally were born free, being the image and resemblance of God himself....<sup>1</sup>

On what observation of men in society does Milton base his assertion that men were born free? On none whatever. This was a rational, a priori assumption. On it Milton built his deductive arguments. One may conclude therefore with a great degree of certainty that Milton's methodology was rational, a priori

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<sup>1</sup>John Milton, op. cit., p. 756.

*In a paper of this length, footnotes may be numbered consecutively.*

and deductive.

In "The Tenure Of Kings And Magistrates" Milton offered the longest exposition of the philosophical foundations of government. It is to this pamphlet that the student must turn in order to discover Milton's views on the origin of the state, the nature of fundamental law, the place of constitutionalism, and the right of tyrannicide. The arguments presented here may be summarized as follows:

1. The state of nature. Milton postulated that men in the state of nature were born free and created in the image of God. They were capable of living in peace with their neighbors apart from any sort of governmental regulation, inasmuch as sin had not yet entered the world. These idyllic conditions were shattered, however, by the Fall of Adam. The principle of total depravity introduced by Adam's transgression tended to change the state of nature into a state of war, since every man now sought his own good rather than that which would work for the benefit of society.
2. The social contract. It became necessary for men therefore to band together in a common agreement to abstain from injury to each other and to punish violaters of their agreement. These pacts for defense gave rise to cities, towns, and nations.
3. The origin of government. With the increase of violations of the social contract due to total depravity the covenant-keeping citizens of the various communities ordained individuals to enforce the law and delegated to them the authority necessary to punish law-breakers. These specially ordained citizens became the first magistrates, and the position of chief magistrate evolved in time into the office of king.

4. Sovereignty. Sovereignty, or the supreme power in the state, resided ultimately in the people themselves. In order to facilitate executive and judicial administration this power was delegated to the magistrates; but only as a trust. If a magistrate were guilty of malfeasance of office, sovereign power could be resumed by the community which had originally conferred it.

It being thus manifest, that the power of kings and magistrates is nothing else but what is only derivative, transferred, and committed to them in trust from the people to the common good of them all, in whom the power yet remains fundamentally, and cannot be taken from them, without a violation of their natural birthright....<sup>1</sup>

5. Constitutionalism. Like all men the magistrates were susceptible to corruption when entrusted with power and position. As safety measures the people who had appointed them enacted laws to limit their authority. This meant that the king and magistrate as well as the private citizen were alike under law.

6. Tyrannicide. If a king were to become a tyrant, that is, if he were to rule for his own self-interest and not for the common good, he automatically forfeited his right of kingship and became a rebel against the law. Like every rebel he could be seized and put to death by the people.

7. The sanctions for government. Milton tended to minimize the Scriptural justification for the existence of government and to emphasize the rational sanctions. Government, he felt, was needed to serve as an antidote to the chaos which would result if fallen man was not regulated by some authoritative power.

8. The nature of fundamental law. Milton indicates through scattered references <sup>illustrate</sup> that he believes in the concept of natural law. Natural law, as conceived by the 17th century mind, was a

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<sup>1</sup>John Milton, op. cit., p. 757.

*ibid.*, p. 757

transcendent principle of right in the universe prehensible to human reason. This law was fundamental and claimed precedence over human legislation.

9. The purpose of government. The purpose of government was to promote spiritual and civil liberty.

In order to discover the practical outworkings of this political philosophy one must turn to Milton's pamphlet, "The Ready And Easy Way To Establish A Free Commonwealth". In this prose work he outlined the mechanics of an ideal republic as he conceived it. There were six elements in this outline:

1. Free elections. Milton advocated the election of a parliament by a carefully sifted electorate. This parliament, or general council, would be made up of the most capable men in the nation.

2. Unicameralism. In order to guard against the dangers of an upper chamber on the model of the House of Lords the general council would have only one house, composed of elected delegates. An executive committee was to be chosen by the general council out of its own membership.

3. Perpetuity. The men elected to parliament were to be elected for life, conditioned upon their good conduct while in office. This would insure stability to the government.

4. Local assemblies. Each county would elect its own local assembly which would have complete autonomy in the executive, judicial, and legislative affairs within its own jurisdiction. In addition, the local assembly would have the right of judicial review on all laws passed by the general council.

5. Public education. In order to insure that the electorate would be capable of choosing wisely, a system of public education should be inaugurated which would prepare them for the privilege



of exercising the franchise.

6. Public servant. The man elected to office was not to be considered as a lord over his fellow citizens but as the common servant of all.

What adverse criticisms can be made of Milton's philosophy?

The first criticism is one which can be leveled against any contract theory of government; namely, that the contract is a fiction. At no time in history did men form a social contract of defense of the magnitude described by Milton. The theory, in short, is grounded in an abstraction rather than in fact.

The second criticism one can make is that Milton proposes an inefficient and cumbersome political machine. The division of sovereignty between the local assemblies and the general council negates national sovereignty and leaves the general council powerless to act effectively.

In the third place, what guarantee does Milton offer that he is not substituting an oligarchic tyranny for the tyranny of one man? If he replies that each member of the general council will observe every other member of the council as he works and so guarantee the preservation of freedom, he has still failed to answer the question to one's satisfaction. He simply has not taken into account the fact that in any group power tends to gravitate into the hands of a few. After all, Milton's theory of government is little more than a secularization of Presbyterian polity. If the Presbyterian Church of Milton's time was not able to prevent power groups from forming within her, what right had Milton to assume that the problem of power groups would not plague the commonwealth modeled after her?

These criticisms are not all that could be made. But one must take into account the fact that Milton lived in the 17th century, so that it is not entirely fair to criticise him from the standpoint of 20th century political philosophy. Taking into account the background from which he wrote, there are a number of things for which he may be commended.

In the first place, Milton faced up to the fact that men are sinners and that government must be built on that presupposition. Unlike the romanticists of a century later, Milton realistically postulated the moral responsibility and depravity of man.

Secondly, Milton should be commended for his view of the magistrate under law. This principle is one of the staunchest guarantees of man's political liberty; it is the declaration that there are bounds beyond which the government's jurisdiction does not extend.

In the third place, Milton's defense of popular sovereignty is worthy of recognition. Although the idea was not original with him, he can surely be commended for his courageous defense of a principle which later became an inherent part of American constitutionalism.

This then was the political philosophy of John Milton. In some ways it was inadequate for the problems which it tackled. But it was one of the most vigorous statements of philosophic republicanism ever published in England, and, as such, has served as an inspiration to all who believe that the freedom of man is best implemented by his freedom to participate in parliamentary government.



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Citation should be made in the bibliography of the actual pamphlets used.

I would also suggest that Moxey's Political Philosophies, Clark's The Seventeenth Century, and Wiley's Seventeenth Century Backgrounds might have been helpful as secondary sources.

I read with much interest your handling of the selected topic and for a paper of this length and type, I commend you highly for your approach and treatment!

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