

Liberalism (Constitutional Liberal Democracy)

Liberalism (Constitutional Liberal Democracy) is a theory of government that pertains to individuals' personal and private rights to liberty. In modern times, liberalism has been associated with a particular model of democracy that emphasizes limited government and the rule of law in order to secure the inherent and inalienable rights of individuals. The United States, the Czech Republic, Estonia, France, and the Slovak Republic are among the many constitutional democracies today that exemplify the defining characteristics of liberalism.

The essential characteristics of liberalism are beliefs or assumptions about the relationships of individuals, civil society, and government. They include the following ideas:

- The moral primacy of the individual against the claims of the state
- The equal moral worth and dignity of each person as a member of the human species
- The equal possession by each human being of inalienable natural rights, which include the individual's rights to life, liberty, and property
- The establishment of civil society and government in order to protect equally the inherent rights of each person
- The importance of tolerating individual differences and diversity in civic, political, and social life
- The ultimate and overriding value attached to respect for the equal worth and dignity of each person, which sets a limit to toleration; nothing should be tolerated that violates the worth and dignity of the autonomous individual

The liberal model of government was implied by the American Declaration of Independence of 1776. It boldly asserts:

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty, and the Pursuit of Happiness-That to secure these Rights, Governments are instituted among Men, deriving their just Powers from Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends it is the Right of the People to alter or abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Form, as to them shall seem most likely to Effect their Safety and Happiness.

Ideas about liberalism put forth in the Declaration of Independence have influenced the establishment and maintenance of *liberal democracy* in countries around the world.

More than two hundred years later, for example, the constitution adopted by the Slovak Republic in 1992 expressed similar liberal ideas about individual rights. Article 12 of the Slovak constitution declares, "All human beings are free and equal in dignity and rights. Their fundamental rights and freedoms are inalienable, irrevocable, and absolutely perpetual. Fundamental rights shall be guaranteed in the Slovak Republic to every person."

In every liberal democracy, a free and open civil society and a free and open market economy are necessities. The spirit of liberalism prompts the people to voluntarily and privately maintain the nongovernmental organizations of civil society and the free enterprise of a market economic system. These bastions of private resources are countervailing forces against unconstitutional use of governmental power that might abridge or abolish the fundamental rights of the people. Prominent among the fundamental rights of individuals are certain private rights such as freedom of conscience, free exercise of religion, private ownership and use of property, freedom of association, and protection against unwarranted

or unreasonable government intrusion into one's home or other private domains of the society.

The first concern in the liberal idea of justice is equal protection by the government of the inherent rights of each individual. Laws that violate the inherent and inalienable rights of individuals must be overturned in order for justice to prevail.

Classical or traditional liberalism has been concerned primarily with limiting the power of constitutional government in order to curtail its reach into the private and free spaces of a market economy and civil society. Thus freedom of individual action is maximized, and the power of the state and government is minimized. Proponents of classical liberal ideas, who emphasize a minimal state and a maximal zone of individual liberty, are named *libertarians*, and their political philosophy is called *libertarianism*.

Classical liberalism's emphasis on limited government as the singular means to achieving personal liberty was challenged strongly in the 20th century by proponents of positive government action in support of the less advantaged members of society. The critics of traditional or classical liberalism argued that uneducated, ill, undernourished, or homeless persons could not properly make use of their constitutionally guaranteed civil liberties.

In the interest of maximizing liberty for everyone, rich and poor alike, the critics of classical liberalism called for an increase of government power to provide social and economic benefits—such as access to basic education, health care, job training, and so forth—to people in need. According to the new liberalism, positive government action to help the neediest members of society was a necessary component of justice in combination with constitutional guarantees of traditional civil liberties.

These critics of the older liberalism became known as welfare state liberals. Because they call for the government to promote social and political equality in tandem with personal liberty, they were distinguished from antiliberal groups that favored socialism, the comprehensive control and regulation of society by government on behalf of equality at the expense of traditional civil liberties. The new liberalism, based on the positive use of power through government to benefit the neediest members of society, was integrated more or less with the old liberalism in the late 20th-century model of liberal democracy.

In the United States staunch advocates of the old liberalism including libertarians have become known as conservatives, because they stress the preservation of traditional ideas about limited government and civil liberties anchored in the founding of the nation. They tend to occupy the “right” side of the political spectrum. Proponents of big government programs, which enable positive public actions in support of enhanced liberty and equality for needy persons, have appropriated the label of liberalism or positive liberalism. They tend to occupy the “left” side of the political spectrum.

Answer the following questions on a separate piece of paper

1. Define the following terms: fundamental, bastions, countervailing, abridge, proponents, comprehensive, staunch.
2. Describe the main ideas of Constitutional Liberal Democracy.
3. Discuss how the basic premises of Constitutional Liberal Democracy are found in the Declaration of Independence.
4. What two necessities are found in every liberal democracy.
5. Contrast traditional liberalism and new liberalism.