Athenaeum Review

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THE FUTURE OF THE HUMANITIES

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Journal of the HARRY W. BASS JR. SCHOOL OF ARTS, HUMANITIES, AND TECHNOLOGY
and THE EDITH O'DONNELL INSTITUTE OF ART HISTORY
at THE UNIVERSITY OF TEXAS AT DALLAS

ALSO IN THIS ISSUE

Lydia Pyne on the de-extinction of Celia the ibex

Paul Strohm on the subjunctive grammar of hope

Ed Simon on Joel Barlow's *Columbiad*

Jason Andrew on the friendship of Yayoi Kusama and Jack Tworkov

Al Martinich and Tom Palaima on legitimacy

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Front and Back Cover: John Wilcox, *Paradise*, 1989, acrylic on twelve canvases, each 32 x 24 in. (overall 96 x 96 in.), image courtesy of The Ioannes Project

Untitled: Paradise, which John Wilcox painted in 1989, consists of twelve rectangular canvases arranged in three rows of four to make a perfect square. When he showed the painting in 1992, however, Wilcox reconfigured its parts in two rows of six, revealing his understanding of the multipart works as modular, relational, and open to change. See page 189 of this issue.

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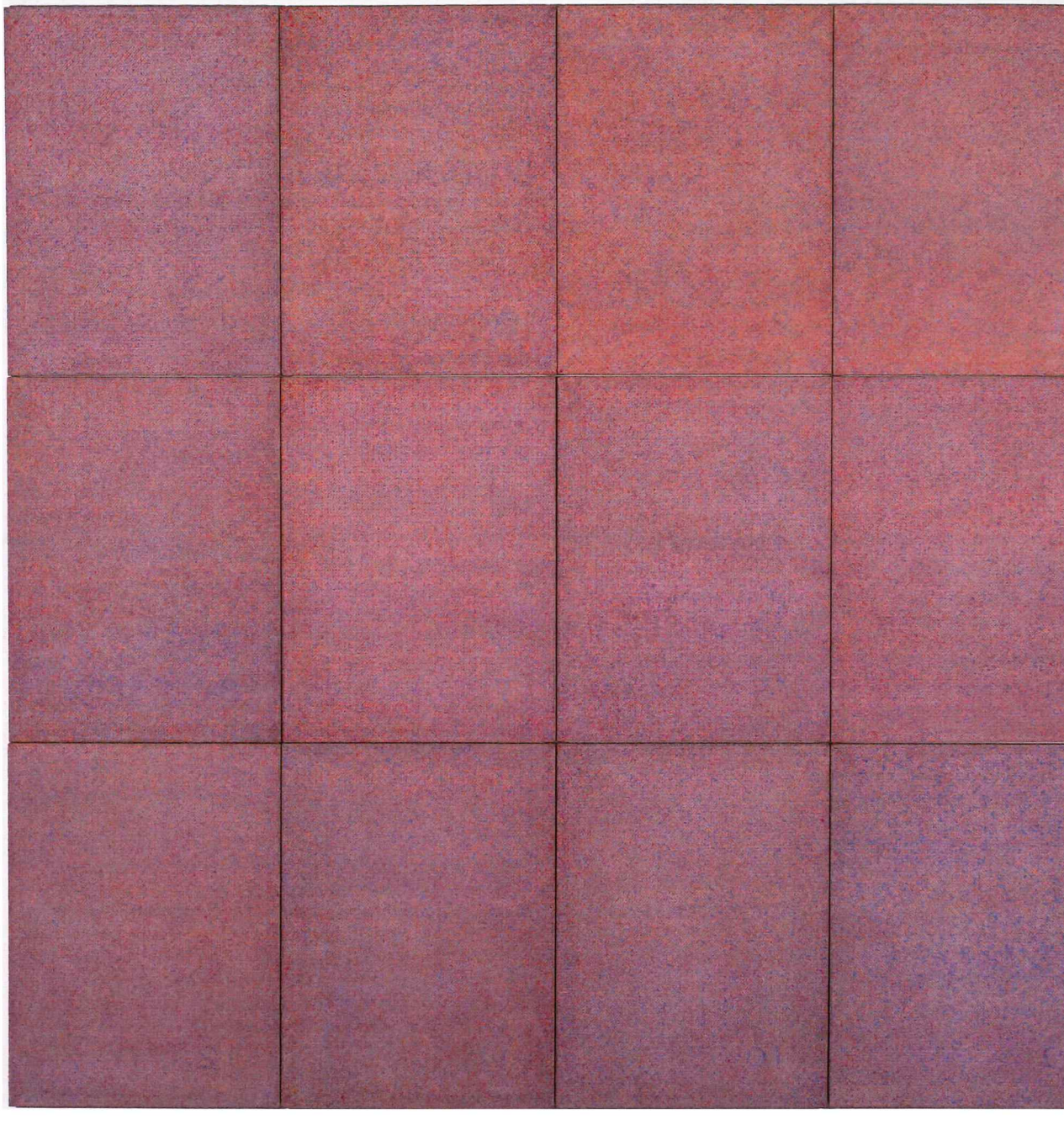

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Special Issue: The Future of the Humanities

"The Future of the Humanities," a panel discussion featuring several authors from this special issue, took place on April 3, 2023 at UT Dallas, and can be viewed on the UTD Art History YouTube channel.

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The People's Choice

Political Legitimacy in the United States and World History

Al Martinich and Tom Palaima

Questions about the legitimacy of government are relatively rare in the United States except in university departments of political science, which deal with abstractions. Legitimacy becomes an urgent, practical issue when sizeable numbers of 'we the people' fear that our political parties are irreconcilable and that the government's functioning is malfunctioning.

In the history of the United States over the last two hundred and fifty years, the two great occasions for national reflection on legitimacy preceded the War of Independence and the Civil War. The current divisions in the country are now a third occasion. Two years into Joseph Biden's presidency roughly two out of every three Republicans polled profess that Biden is not the legitimate president of the United States.[1] During a Senate Committee hearing on the nomination of Ketanji Brown Jackson for the Supreme Court, Senator Ben Sasse asked Brown Jackson whether she thought the Supreme Court was legitimate.[2] Not many decades ago that would have been like asking whether the US is a democracy. No longer. The Heritage Foundation published a long article with the title "America is a Republic, Not a Democracy."[3] In September 2022, Chief Justice John Roberts insisted that disagreement with the Supreme Court's decisions should not result in questioning its

1 See Ben Kamisar, "Two-thirds of Republicans still don't believe Biden was elected legitimately," *Meet the Press Blog*, Oct. 25, 2022, online at nbcnews.com. The Texas Republican Party approved a platform rejecting "the certified results of the 2020 Presidential election, and we hold that acting President Joseph Robinette Biden Jr. was not legitimately elected by the people of the United States." Azi Paybarah and David Montgomery, "Texas Republicans Approve Far-Right Platform Declaring Biden's Election Illegitimate," *New York Times*, June 19, 2022, online at nytimes.com.

2 GOP Senator to Jackson, "Do You Think The Supreme Court Is Legitimate?" *Forbes Breaking News*, March 27, 2022. Youtube.com. Sasse reported that Democrats say the Supreme Court "leans into extreme partisanship" and that such comments "undermine the public's trust" in the Court. As we were writing this in May 2022, *Politico* published a draft opinion of an impending Supreme Court decision to overturn Roe v. Wade ("Read Justice Alito's initial draft abortion opinion which would overturn Roe v. Wade," *Politico*, May 2, 2022, politico.com). The immediate reaction by numerous media commentators was that with this decision, the Court may lose its legitimacy. Although that reaction may be too strong, demonstrations against the decision have already begun. Also, the announcement of the attorney general of Michigan that she will not enforce a state law prohibiting abortion is evidence that she does not accept the decision... (Beth LeBlanc, "Attorney General Nessel refuses to use office to defend Michigan's abortion ban," *The Detroit News*, April 7, 2022, detroitnews.com.

3 Bernard Dobski, "America is a Republic, Not a Democracy," June 19, 2020, heritage.org. The core of this article is a shabby piece of reasoning. The author asserts that the US is either a republic or a pure democracy; he then denies that the US is a pure democracy because the word 'republic' appears in the Constitution but not the word 'democracy', and further that the Federalist Papers criticize the Athenian and Roman democracies. The argument, we point out, commits the fallacy of false dichotomy. In addition to pure democracies, there are constitutional democracies, representative democracies, democracies with bills of rights, and democratic republics; and the author does not treat these alternatives.

Figure 1. East wall of Chamber B of the Yazilikaya Hittite Rock Sanctuary near Hattusa (13th century BCE) depicting in a niche the God Sharruma (the Hurrian Mountain God and son of the Thunder God Teshub) embracing Great King Tudhaliya IV (r. c. 1237–1209 BCE). The god has his left arm over the king's shoulders while holding the king's right wrist. He wears a short tunic and has pointed shoes. The king wears a long coat and carries a sword and a *lituus* or 'royal shepherd's crook,' a kind of scepter. Creative Commons / Wikimedia.

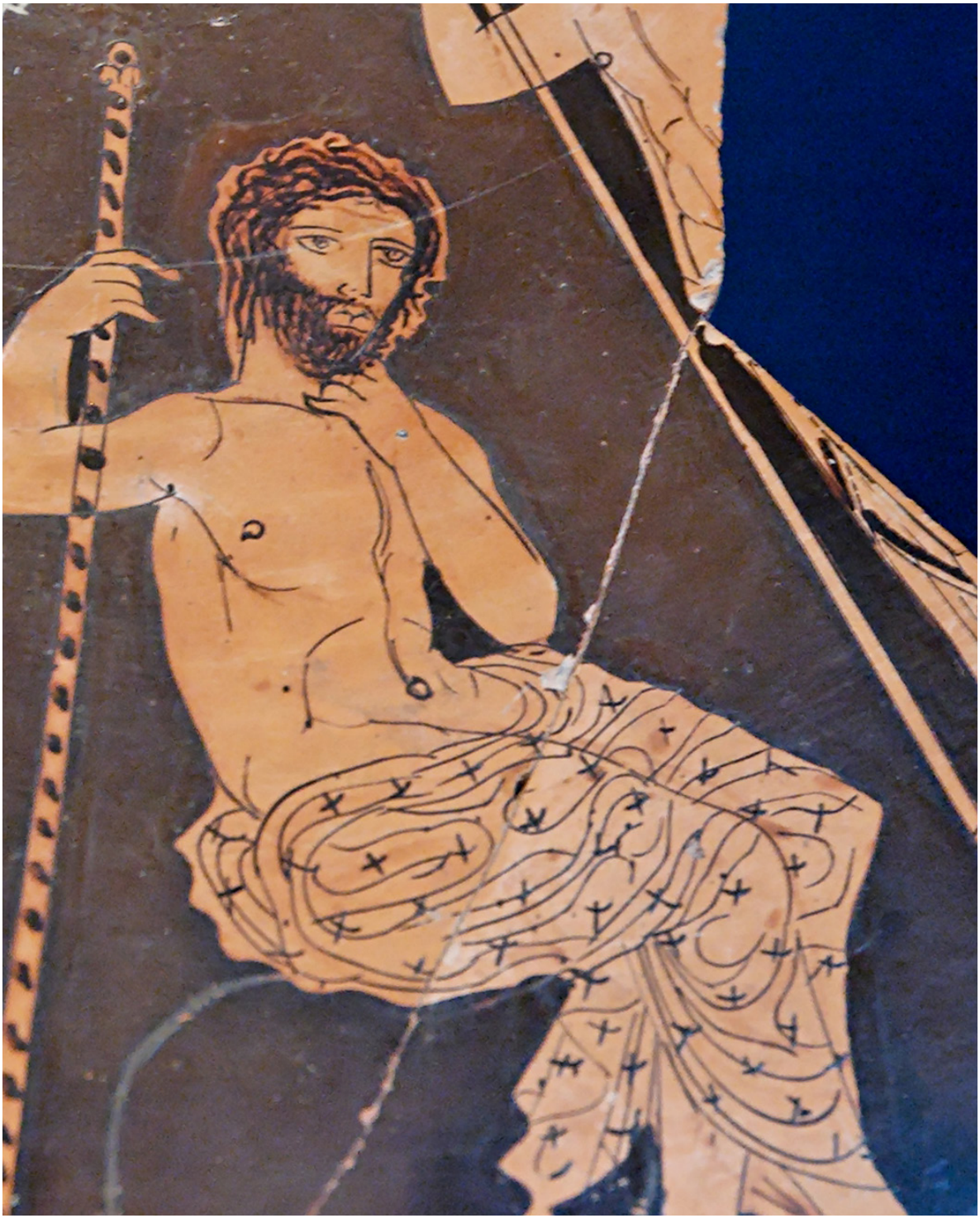

Figure 2. Agamemnon seated on a rock and holding his scepter, identified from an inscription. Fragment of the lid of an Attic red-figure lekanis by the circle of the Meidias Painter, 410–400 BC. From the Santa Lucia district in Taranto. Stored in the Museo Nazionale Archeologico in Taranto (Italy). Public Domain / Wikimedia.

The fatal weakness in social contract theories is that no one remembers ever making such a contract.

legitimacy.[4] His comment is a red herring, because the Court's legitimacy cannot be preserved by fiat.

The legitimacy of Congress is also suspect. Fewer than 25% of Americans think that they can trust Congress to do what is right all or most of the time.[5] We do not have polling results on the question of whether Congress can do anything that is for the non-partisan common good.

For thousands of years, political legitimacy was grounded in some transcendent entity. A good example is the relationship between the Hittite kings of the second millennium BCE and their patron divinity (Figure 1). In traditional Chinese society, the Mandate of Heaven supposedly constituted legitimacy.[6] (The Chinese believed that heaven was divine, but they did not believe that the divine was a personal being.) What can be more compelling than a command from heaven? The authority of the Mandate of Heaven is baked into its descriptive name. A mandate from heaven must be obeyed. Each emperor had the Mandate of Heaven, and his subjects accepted him. However, if the subjects thought that his rule was intolerable, they could revolt; and a successful revolution proved that the emperor had lost the mandate. Defeat was the sign of losing the mandate. The sign of heaven's new mandate was the victory of the revolution's leader. The Chinese had no institution to declare legitimacy other than the emperor himself.

For the Abrahamic religions, the sovereignty of God was indicated by his usual epithet, *Lord*. The legitimate human leader was chosen by God. The sign of legitimacy varied. It could be charisma as it was for Moses, Jesus, or Muhammad, or inheritance as it was for the kings of Israel and Judah (with allowances made for special cases; for example, God rescinded Saul's kingship and bestowed it on David).

The ancient Greeks appealed to Zeus, himself called in the Homeric epics *anaks* 'supreme king' of men and gods, as the legitimizer of 'Zeus-nourished kings', and the protector and validator of true justice in court decisions (Hesiod, *Works and Days*). Rulers in the Atreid dynasty of the royal house of Mycenae, like Agamemnon in Homer's *Iliad*, manifested their divinely gifted authority by a *skēptron* (scepter) fashioned by the craftsman god Hephaestus (Figure 2).[7] Famously, the goddess Athena set the precedent for the formerly aristocratic council known as the Areopagus to focus on homicide decisions, even as its membership was becoming democratized by the inclusion of former central officers of state known as *archons*. And Athena herself (as a ruse to convince the susceptible

4 Robert Barnes and Michael Karlik, "Roberts says Supreme Court will reopen to public and defends legitimacy," *Washington Post*, Sept. 10, 2022, at washingtonpost.com. The obvious interpretation is that citizens will no longer accept many of those decisions. The decisions will be inflicted on them.

5 "Public Trust in Government: 1958-2022," June 6, 2022, Pew Research Center, pewresearch.org.

6 H.G. Creel's "The Mandate of Heaven" in *The Origins of Statecraft in China*. Chicago: University of Chicago Press, 1970, 81-100.

7 Mait Kolv, "*Basileus, Tyrannos and Polis*. The Dynamics of Monarchy in Early Greece," *Klio* 98:1 (2016) 1-89. T. Palaima, "The Ideology of the Ruler in Mycenaean Prehistory: Twenty Years after the Missing Ruler," in Robert Koehl ed., *Studies in Aegean Art and Culture*. Philadelphia: INSTAP Academic Press, 2016, 147-149 *et passim*.

populace that he was her choice) was in the chariot that led the powerful aristocrat Peisistratus into Athens in his second attempt at tyranny.[8] Such theories worked in practice because the *de facto* government had the power to enforce the judgment that God had given them the right to govern. One advantage of the theory of the divine right of kings was that it included the claim that the king (or queen with supreme power) was God's "vicegerent," that is, God's official interpreter of what he commanded.[9]

If a government became contested in the greater Greek world, the divine will became obscure. In such cases, it was normal for people to appeal to the oracle at Delphi to settle the controversy. Herodotus reported such a case about the kingdom of Lydia. Gyges, the bodyguard of the Lydian king Candaules, staged a palace coup by murdering the king and marrying Candaules' complicit widow. Gyges became the *de facto* king. But the dead king's supporters did not accept Gyges and threatened a countercoup. Eventually, "Gyges' faction came to an agreement with the rest of the Lydians that if the oracle elected him to be king of the Lydians, then he would serve as king.... The oracle indeed did elect him and Gyges in this way became king."[10] Appealing to an oracle of Apollo meant that Apollo, not those who sought his counsel through the oracle, had responsibility for making the decision. However, as Herodotus' story makes clear, both groups of Lydians had to be willing to accept the decision of a third party. The effectiveness of the oracle's decision depended on *acceptance* by the people, not divine revelation.

Even when everyone agrees about who the true god is, a person's judgment about the veracity of a supposed divine revelation often seems to be a consequence of what the person already wanted to be true. The Israelite King Ahab wanted to attack Aram. He consulted his prophets. Four hundred of them said Yahweh had assured him of victory. The only prophet to disagree was Micaiah, who refused to reveal what Yahweh had revealed to him for fear of Ahab. Under coercion, he said that Israel would be defeated. Ahab imprisoned him and attacked Aram. But Israel was defeated, and Ahab killed in battle (1 Kings 22; see also Jeremiah 28). Similarly, Socrates, listening to his *daimōn*, was the sole juror who opposed convicting the generals on trial after the battle of Arginusae (406 BCE). His reputation suffered, but the people later realized their mistake.[11]

Another problem with supernatural or preternatural revelation is identifying the source of divine authority. The ready answer—that God has authority because he is God—is uninformative at best. What is it about being God that makes him a moral or political authority? Goodness would not explain it. Many good people lack authority and would not be good rulers even if they had authority. And many people with authority are neither good nor need to be. Another answer given by Jewish and Christian theologians is that God has authority because creation is his property. This answer is also inadequate. *Pace* Locke, property depends on the laws and the government that protect it. Without

8 Claudia Zatta "Making Historical Mythical: The Golden Age of Peisistratus," *Arethusa* 43:1 (2010) 21-62.

9 Peter Newman Brooks, "The Theology of Thomas Cranmer," in *The Cambridge Companion to Reformation Theology,* ed. David Bagchi and David Steinmetz. Cambridge: Cambridge University Press, 2004: 155.

10 *Herodotus*, *The Histories* 1.13, translation by Palaima. For more about the Gyges coup, see *The Landmark* Herodotus, ed. Robert B. Strassler. New York: Anchor Books, 2009: 9, 810-815.

11 Interested parties should read three chapters in Fiona Hobden, Christopher Tuplin eds., *Xenophon: Ethical Principles and Historical Enquiry.* Leiden and Boston: Brill, 2012: 161-212, 243-268, 269-306.

government, one may possess or control something; but it is not property. Thomas Hobbes rightly rejected goodness and property as possible answers. His own answer was that God's authority comes from his "irresistible power." While his answer has the merit of grounding authority in something that is not normative, few people genuinely believe that might makes right.

The importance of acceptance can be gleaned from the story of Solon. With the *polis* (city-state) of Athens beset with extreme wealth disparity that had driven most small landowners into a form of perpetual debt slavery, a condition that had led in other city-states to the rise of strong men, whom the Greeks called *turannoi* or 'tyrants', Solon was called upon by the conflicting factions to formulate propositions to restore order. In the Herodotean account (1.29.1-2), immediately after enacting his reforms, Solon left Athens on travels for ten years "really to avoid being forced to change any of the laws which he had passed. For the Athenians could not do this themselves, since they were constrained by mighty oaths to use for ten years whatever laws Solon had given them." Solon's reforms were good, if controversial, propositions, but they only became law once the Athenians accepted them.[12]

We think the lesson of the stories about Solon and Gyges can be generalized. Not a god, or an oracle, or a wise person, creates legitimacy, but rather acceptance by the people creates legitimacy. Solon, the oracle, and divine instructions performed their function because the people accepted them—in Solon's case constrained further by Solon's own politically adept absence of ten years—as definitive. Individuals may object to this idea because they think that the U.S. Constitution made American government legitimate (Figure 3). But the Constitution cannot be the ultimate determinant of legitimacy, because the government of the United States already existed and was legitimate under the Articles of Confederation. A reasonable account of the creation of the United States is the acceptance by many American colonists of political independence from Great Britain, as expressed in the Declaration of Independence. We believe that a government is legitimate only when and only so long as the people it governs accept it. A powerful entity that controls people by force alone is a *de facto* government, not a *de jure* one. However, it can become legitimate if those people come to accept it.

In the seventeenth century, various theorists tried to explain legitimacy without appealing to a god, prophet, oracle, or any other transcendent entity. Thus, the favored concept became the social contract. But theorists could not agree on who the parties of the contract were. English parliamentary leaders maintained that a contract between the king (or queen) and the people established legitimacy, while Hobbes thought the contract was made by the people themselves and that a king or other sovereign was a creation of the contract, and Locke's view was generally the same.

The fatal weakness in social contract theories is that no one remembers ever making such a contract. Nonetheless, contract theory did not die. Eighteenth-century French revolutionaries believed that a legitimate government was one in which the laws are the will of the people. Since one can imagine that ignorant, resentful people could make very bad laws, the revolutionaries appealed to Jean Jacques Rousseau's theory of the "general will," which is the will of the people who have the

12 As additional laws were introduced over time, they were backed up by the false assertion that Solon had prescribed them. See: B.M. Lavelle, review of Josine Blok, A.P.M.H. Lardinois eds., *Solon of Athens: New Historical and Philological Approaches* Leiden: Brill, 2006 in *Bryn Mawr Classical Review*, April 26, 2007: bmcr.brynmawr.edu/2007/2007.04.26 .

right knowledge and good intentions. The theory is lacking in one crucial respect: It gives no criteria for identifying those who have the relevant knowledge and intentions. This is the problem of the subjectivity of divine right theory brought down to earth.

The blood-soaked failure of the French Revolution revived a conservative view. Joseph de Maistre reminded people that monarchy was divinely sanctioned and the only stable form of government. He thought that the Bourbon pretender, the heir of the executed King Louis XVI, was the legitimate king of France and that the Pope was the ultimate earthly authority. That was his opinion, but most people had other opinions.

Theorists returned to explorations of the idea of a contract. Implicit in the idea of a contract is acceptance of it. We think that acceptance alone—acceptance by the people to be governed—is sufficient for legitimacy. The etymology of *acceptance* is helpful for understanding the concept. To accept something is to take it willingly. In doing so, one acquires certain duties and benefits. This process usually involves reciprocity, a continuing 'give and take.' Each citizen wants the government to provide physical protection against both internal dangers and external enemies. How much more government ought to provide depends on many factors, such as citizens' attitudes, the society's resources, and physical circumstances.

If we are right, phrases like "accept the legitimacy of" are redundant. Sentences that use both *legitimate* and *accept* (or their cognates) can be paraphrased without loss of meaning by eliminating one of the words. For example, "Some people no longer accept the legitimacy of political institutions of the USSR," may be paraphrased as "People no longer accept the political institutions of the USSR" or as "Political institutions of the USSR are no longer legitimate."

Acceptance covers a broad spectrum of attitudes, both stronger and weaker ones: promotion, approval, consent, acquiescence, and sufferance, aka 'putting up with.' Our descriptions of the various attitudes are not definitions—political realities are too amorphous or complicated to be captured by definitions. Our descriptions are approximations.

Promotion, the strongest attitude of acceptance, is exerted by satisfied government employees, large and active memberships in political parties, public policy interest groups, and all others who contribute to the well-functioning of the government.

The attitude one level down from promotion is *approval*. Approval is exhibited by those who regularly vote in elections, pay taxes, and otherwise strengthen laws for everyone by keeping them themselves. *Consent* is expressed by people who conform

Figure 3. Preamble to the Constitution of the United States, 17 September 1787. National Archives Building, Washington, DC. Creative Commons / Wikimedia.

to the laws with some appreciation of their necessity. *Acquiescence* characterizes those who go along with the laws without reflecting on their basis.

The lowest level of acceptance is *sufferance*. *Sufferance* consists of those who grudgingly conform to the laws despite disagreeing with the principles on which the laws are based, the reasons they were enacted, the specific controls of personal behavior they impose, or the penalties imposed for violation of the laws. Such citizens suffer the government and will oppose it if they believe circumstances are ripe to destroy it. Usual estimates of the percentage of people who actively opposed King Charles I during the English Civil War, and the percentage of American colonists who actively opposed King George III the during the revolution, are between 20 to 30 percent (Figure 4).

The dissolution of one government does not automatically legitimate its successor. The common soldiers of the parliamentary army promoted a democratic government in a pamphlet "An Agreement of the People" (Figure 5) but parliament rejected it. After the beheading of Charles I in January 1649, the new government rightly feared that many or most people would not accept the new Commonwealth, and the new government knew that many would refuse to take an oath of allegiance to it. Prudently, they required males over the age of 18 merely to conform to or "engage with" its laws. The so-called "Engagement" of 1650 merely required an affirmation:

> *And they [Parliament] do expect from all true-hearted English men, not only a forebearance of [restraint from] any public or secret Plots or Endeavors, in opposition to the present Settlement, … But [also] a cheerful concurrence [consent], and acting for the Establishment of the great Work now in hand, in such a way, … [that] the people of this Land enjoy the blessings of Peace, Freedom, and Justice, to them and their Posterities.*

Parliament hoped for consent, but settled for acquiescence or sufferance.

A legitimate government is one that has a large majority of citizens who promote, approve, or accept it, with relatively few who acquiesce or suffer it. Uniform promotion is an unrealized ideal. Taking legitimacy as amounting to popular acceptance may seem paradoxical. How can an attitude or a belief make something so? The paradox dissolves when one considers that acceptance shows itself in behavior, primarily in obedience to the law. Also, acceptance of institutions great and small pervades daily life; for example, acceptance that covering a certain kind of paper with certain words and images makes that thing money, lyrically, "a little piece of paper covered with chlorophyll." [13]

Legitimacy is tenuous when sufferance is rife. The insurrection in Washington, D.C. in 2021 is a symptom. About 40% of the electorate considered the presidential election of Biden illegitimate. Only about a thousand citizens were willing to breach the Capitol. And only a couple of hundred members of Congress were inclined to overturn the election results. The insurrection failed because of the actions of a few dozen Republicans, notably Vice-President Mike Pence and some Republican state officials who refused to falsify election results. Their acceptance of the election result may have been due to no more than acquiescence to constitutional procedures. But their actions were sufficient to preserve the government of the United States. Preserving a government is sometimes highly contingent.

Some commentators claimed that the failure of the insurrection was proof that the government was never in danger. One might as well argue that the world was

13 More precision is required to avoid making counterfeit money to be "legal tender."

Figure 4. King Charles I receiving authority from a divine source. Image from *Eikōn Basilikē: The portraiture of His Sacred Majestie in his solitudes and suffering*, a book that was published on February 9th, 1649, ten days after Charles I was beheaded, and was purportedly written by him. Public Domain / WIkimedia.

never in danger of an all-out nuclear war during the Cuban missile crisis of 1962. Then, nuclear devastation was avoided by the contingency of the refusal of Vasily Aleksandrovich Arkhipov, the chief of staff of the Soviet flotilla, to authorize the use of nuclear torpedoes against the US, contrary to the policy of the Soviet navy. Upon his return to the Soviet Union, he was reprimanded.

The stability of a government is a function of the number of citizens who accept it, their intensity, and a favorable environment, minus the number and intensity of the citizens who oppose it, and the circumstances favorable to revolution. Gerrymandered districts, revised voter qualifications and documentation, and new methods of counting ballots in order to favor candidates of one party could dissolve the democratic process. Democrats have been making this claim for some time. The Democrats believe that Republicans have been systematically bulldozing the rights and procedures of democracy. It is plausible that circumstances are ripe for insurrection or a *coup d'état*. Lindsay Graham predicted "riots in the street" if Donald Trump were to be indicted. With his characteristic eloquence, Trump said an indictment would create "problems … the likes of which perhaps we've never seen."[14] Another Republican presidential defeat in 2024 may result in more extreme actions. A Republican presidential victory may be equally dangerous if Democrats believe Republican election commissioners or secretaries of state manipulated the results. That Democrats may riot has precedence in events surrounding the Democratic National Convention in Chicago in August 1968, called by commentators "chaos that veered into a police riot."[15]

A government can be overthrown by peaceful means. Notwithstanding the sporadic violence of the Brownshirts, Adolf Hitler was legally made Chancellor in 1932 and legally became a dictator when the German Parliament passed the Enabling Act in 1933. The mechanisms of parliamentary government were not disabled. If the American form of government becomes a dictatorship, it will also probably happen under color of law. The Republican National Committee passed a resolution describing the violent January insurrection as "legitimate political discourse." If the Republican Party prevails in the federal elections over the next three or four years, the change from democracy to oligarchy may be relatively bloodless. The risk to a representative democracy is grave no matter how many times a party committed to the peaceful transfer of power wins federal elections. It takes only one election by an autocratic party to destroy democracy by refusing to transfer power in future elections.

Our account of legitimacy, we believe, has three major virtues. First, it is easy to understand. Acceptability is not an abstruse or mysterious concept. It is intelligible to any normal adult. Unlike typical philosophical theories, our account does not depend on apprehending technical concepts of the sort that require any specialized training or are part of a complex system. The human condition is difficult enough without requiring great intelligence or masses of historical or legalistic information in order to know whether one's government is legitimate.

14 Lindsay Kornick, "Sen. Graham says if Trump is indicted, there will be 'riots in the street,'" *Fox News*, August 28, 2022, foxnews.com; and Myah Ward and Andrew Desiderio, "Trump warns of 'problems' like 'we've never seen' if he's indicted," *Politico*, Sept. 15, 2022.

15 youtube.com/watch?v=3XzdItsTfvE.

The second virtue is that we do not use normative language to explain legitimacy. In particular, we do not hold that being legitimate depends on some prior entity that is already a legitimate lawgiver or has authority. The etymology of legitimacy is deceptive. Because it derives from Latin *legitimus*, which means *made lawful*, it is tempting to look for a lawgiver who makes a government legitimate.[16] The problem with appealing to a lawgiver is that doing so presupposes what is to be explained. Moreover, it is no good to appeal to a transcendent lawgiver, because at least in a diverse community like the United States, there is no consensus about who that preternatural lawgiver might be.

The third virtue of our view is that it appeals only to something internal to a people, their acceptance, not to anything transcendent such as a god, eternal moral laws, or something else. What causes government legitimacy? It's the people's choice.

Our discussion has been restricted to domestic legitimacy. But the invasion of Ukraine by Russia in late February 2022 raises the issue of international legitimacy. We think the essence of legitimacy is the same in the international sphere, acceptance of a government by other governments. Acceptance is typically shown by an assortment of sociopolitical actions among governments, such as an exchange of ambassadors, treaties, alliances, mutual trade and trade agreements, and membership in organizations such as the United Nations, NATO, and the European Union.

Legitimacy is always relative to the entities that accept or reject something. During the 1950s, the Albanian government was legitimate with respect to the People's Republic of China but to almost no other government in the world. From 1949 until the 1970s, the People's Republic of China was legitimate to the Soviet Union, other communist bloc countries, and some neutral countries, but not the United States until 1979. To return to Russia, Vladimir Putin declared the Ukrainian government illegitimate because he asserted that Ukraine was part of Russia. Most of Europe and North America disagreed with him. The objective and fundamentally Tacitean truth is that Putin has made the Donbas rubble and calls it Russia.

When there is no neutral authority to settle international disputes, the conflicted nations go to war. When there is no neutral authority to settle domestic disputes, one party revolts. ▲

16 *Lex*, *legis* "The Proto-Italic root noun **lēg-* 'law' can be interpreted as a 'collection' of rules." Michael de Vaan, *Etymological Dictionary of Latin and Other Italic Languages*. Leiden-Boston: Brill, 2010: 337.

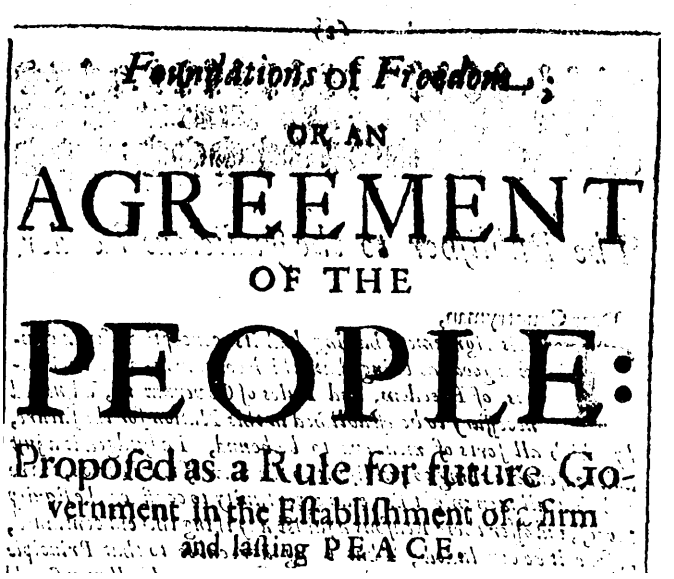
Foundations of Freedom;
OR AN
AGREEMENT
OF THE
PEOPLE:
Proposed as a Rule for future Government in the Establishment of a firm and lasting PEACE.

Figure 5. "An Agreement of the People." Title page from a pamphlet of 1648 in the British Library.