

Introduction printer in
the year 1726. the
arrival



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Introduction

John Zenger was a printer to the New York weekly journal in the early years of the eighteenth century. Being a critic of the government, Zenger was arrested and put on charges as a result of the articles that he printed.

Zenger was, however, acquitted as the jury declared him not guilty of the charges leveled against him. This paper seeks to discuss the trial of Zenger with respect to its revolutionary effects.

The paper will discuss the circumstances of the case against Zenger, the trial and the general consequences of the Zenger case with respect to revolution.

The paper will also discuss other instances in which steps were taken in the past in revolutionary moves to liberate people from oppressive authorities.

Background of the Zenger Case

The New York weekly journal was a product of James Alexander. The journal which was the first private informer on political matters in New York was established with the main aim of representing the American people over the New York administration which was at the moment seen to be unfair to the people in terms of policies and administrative techniques. The onset of the Zenger case was characterized by a division in the governmental organization of New York with the then governor, William Cosby having critics from within and outside his administration. Surrounding the Zenger trial were a variety of issues, some related to the printer and the New York journal while some were political issues around Cosby's administration. In the wake of events, Cosby had wanted Van Dam to share with him (Cosby) his compensations.

The conflict between Cosby and Van Dam resulted in legal battle and the governor tried to influence the judicial proceedings to favor him, a move that was not welcomed by the then chief justice, Morris. Cosby wanted to restrict the proceedings to the Supreme Court where he could influence it as opposed to the jury system. In the ensued battle, Zenger was directed to print a paper which was solely meant to attack the governor and his policies. In a bid to secure his position, Cosby at the same time sacked Morris as the chief justice as Morris had failed to yield to Cosby's demands. Cosby was also characterized by a number of vices at the time such as attempts to rig elections (Douglas 1).

Timeline of Events

Zenger started his practice as a printer in the year 1726. The arrival of Cosby to New York in the year 1732 saw him become the governor in the same year. The conflict between Cosby and Van Dam began in the same year and Cosby, almost simultaneously tried to establish a new judicial system to help him influence the proceedings against Van Dam. Cosby sacked Morris as the Supreme Court chief justice for not supporting him on the move to establish the new judicial system in the year 1733.

Zenger's publications started in the same year but became more critical in the following year when the publications expressed Cosby as a threat to "liberties and properties of people" (Douglas 1). The publications led to legal case against Zenger in the same year where again, Cosby tried to influence the proceedings while Morris moved to London to protest over Cosby's administration. The influence over the judicial process even saw attempts to influence the selection of the jury by Cosby's allies though it did not succeed.

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With his arrest in 1734, the case against Zenger was decided in August 1735 with the jury acquitting him contrary to the opinion of the judges of the Supreme Court (Douglas 1).

Key Figures in the Zenger Trial

William Cosby, who was the New York governor, was one of the key elements to the turn of events in the Zenger case. His actions in office, which described him as “ spiteful, mean-spirited, quick-tempered, greedy, jealous, dull and pretty tyrant” (Douglas 1) led to the criticism approach by the New York journal which consequently led to the trial (Douglas 1). John Peter Zenger was on the other hand the immediate centre of the case.

With his printed criticism against the tyrant governor, the case was established with the aim of controlling the oppositions that the governor faced from his adversaries. Andrew Hamilton was a critical figure as the defiance lawyer of Zenger in the case. His heroism is further accorded due to the fact that he offered to defend Zenger for free. He is accredited with the final success in defending Zenger. Alexander James was a critical figure as the founder and author to the weekly journal that instigated the Zenger case. Morris Lewis was on the other hand influential as a strong critic to the governor while Delancey James was critical in fighting for the interest of the governor. In his attempt to help Cosby win the case, Delancey tried influencing the trial in a number of ways including barring Zenger's first two lawyers from participating in the process and trying to convince the jury in favor of the governor (Douglas 1).

The Freedom of Speech

The freedom of speech as entrenched in the first amendment provided that even the congress was not allowed to make any legislation hinder the “ freedom of speech, of the press or the right of the people peaceably to assemble, and to petition the government for a redress of grievances” (Douglas 1). It is however notable that even though the first amendment was established in the course of the twentieth century, the elements of the freedom of speech was established long before. The turning point as regards the freedom of speech was realized in the Zenger case in the eighteenth century by the jury’s decision that the journal printer was not liable for libel charges against him by the then New York authorities. The seditious libel rules had undermined the freedom to raise any form of critics against the authorities as a proof of actions as to the printing of the information amounted to charges.

The trend however changed with the decision over the zinger case to limit the libel charges to legality of the subject matter rather than the mere printing. This turn of events then spread to England and was later followed by the establishment of common laws upon which the freedom of speech was later based(Douglas 1).

Establishment of the English Bill Of Rights 1689

The English bill of rights of the year 1689 was “ an act of declaring the rights and liberties of the subject and settling the succession of the crown” (Goldman 1). The declaration came at a time of a sought transition in authority which was also seen as an opportunity to transition in governance in terms of the rights and liberties that people were accorded. The events <https://assignbuster.com/introduction-printer-in-the-year-1726-the-arrival/>

were as a result of the former rule of “ KingJames the second” (Goldman 1). The rule of the former king was characterized by a number of injustices which undermined the fundamental rights of people.

Upon his death and upon the move to establish his succession, a transition was effected to improve on the governance of the subjects. The process was characterized by a meeting that authorized a more democratic representation process upon which the “ rights and liberties” proclamation was made together with the succession solution. The declaration signified a revolution or a transition from what had been seen as oppressive regime to one that was expected to take care of the rights and freedom of the subjects in a better way (Goldman 1). The former regime of KingJames the second was characterized by a lot of perceived injustices as relates to fundamental human rights and freedom.

King James regime is recorded to have sidelined the parliament in the administration of the affairs of the territory. Decisions, which were seen as unfair to people, were solely being made by the king and his advisers contrary to the tradition of the involvement of the parliament which was a representation of the people. Under KingJames’ administration, the laws were applied at discretion with even suspension of some laws without the approval of the parliament. The king’s administration would therefore safeguard its personal and most likely selfish motives without being checked. The king’s administration put taxes on the subjects contrary to what was determined by the parliament. In this manner, the king eluded the approval of the parliament for checks and sourced money from people for other purposes that the parliament had not approved. The people were also

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intimidated by the presence of the army which was continually deployed even without cause. The discriminative regime had also selectively carried out a disarmament move on the people who were allied to protestant denominations.

The people's right and freedom to elect parliamentary representatives were also infringed as well as the judicial processes. The king's administration took over proceedings that were primarily meant to be done by the parliament. There was also witnessed massive corruption in the judicial system in terms of employment of unqualified personnel into the judiciary that led to excessive bails, fines and punishments put upon people (Goldman 1). In the declaration, the excessive dictatorial powers of the kingship were abolished and a fairer mechanism was adopted together with the establishment of William and Mary as the king and queen of the land. In the declaration, a number of changes and expectations were anticipated. The existence and jurisdiction of parliament was to be restored and the characteristic dictatorial practices of the former regime such as dispensation of laws, unapproved levying of taxes, unnecessary deployment of the army, selective disarmament and the unfair judicial practices were declared illegal. The system that was to be established on the contrary gave the people the right to question the royal leadership and termed the previous unjust judicial decisions as null and void. It was a perceived transition to democracy in which the rights and freedom of the people were established contrary to the previous dictatorial governance (Goldman 1).

The Declaration of Independence of the Thirteen Colonies

Another revolutionary transition was witnessed in America in the year 1776 with the proclamation of autonomy of the thirteen colonies. The revolution which was unanimously decided upon by United States congress was a move to break away from the British rule which was also described to be unfair to the American states that undermined human rights. It was for example stated in the declaration that “ governments are instituted among men” to “ secure these rights” of the people (Indiana university 1). In the proclamation of independence, the united states congress cited oppressive measures of the British rule such as refusal by the then British king, George the third, to approve legislations which were “ wholesome and necessary for the public good” (Indiana university 1). The king of Britain had repeatedly intimidated the processes of the representative council for criticizing and “ opposing with firmness his invasion on the rights of the people” by dissolving the representation. The British authority had occasionally hindered justice in the American land, established military to undermine the “ civil power”, limited America’s international trade, imposed unapproved taxes and suspended American law makers for their attempt to establish justice for the Americans.

The moves and actions of the British that led to the declaration of the independence were oppressive to the people of America and deprived the Americans of their freedoms and rights as human beings. The declaration of the independence was a move to break away from the oppressive regime and establish a system that respects humanity by honoring human rights and freedoms (Indiana University 1)

Conclusion

The case of Zenger which was won against the New York governor was a significant step towards the revolution from leaders' unquestionable tyranny to a system where people were entitled to human rights and freedom independent from governments' interference. The case also established precedence for public criticism of authorities.

In steps with the aim similar to the impact of the Zenger case, successful revolutions were conducted in the Great Britain in the seventeenth century and in America in the eighteenth century to save people from authoritative tyranny of administrations and to establish a platform for human rights and freedoms.

Works Cited

Douglas, Linder. The Zenger trial: an account. Law, 2001. 30 March 2011.