

UNIT 1

The Principles of America

45-50-minute classes | 13-16 classes

UNIT PREVIEW**Structure**

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Why Teach the Principles of America

Young Americans on the verge of assuming all the responsibilities and rights of citizenship as adults must be more than merely familiar with the political body of which they are a part; they must hold a strong and deep understanding of its nature, its structure, its means, and, perhaps most importantly, its ends. No society, no government, no self-governing republic can long endure if even one generation should fail to possess such an understanding. Moreover, citizens cannot love their country, cannot preserve its goodness while correcting its failures, unless they know its history first. And knowledge of the United States for young Americans begins with a knowledge of its origins. In order to judge prudently in matters of public interest in the present day, students must learn about the philosophical principles upon which the American Founders created the United States of America, including the assertion of self-evident, objective truths about natural rights, morality, and self-government.

What Teachers Should Consider

Americans in general—but especially American students—take a lot for granted about their way of life in this country. This is not surprising, given human nature and the wide achievements of American society. But it does indicate one of the primary roles of the teacher of American civics and history: to help students to understand the arguments and the actions, the sacrifices and accomplishments, that led to the way of life they enjoy today.

To that end, teachers themselves must not take life in America for granted and teach history backwards. That means recognizing what America shares with other countries, especially today, but then also looking back at history and comparing the development of United States to life and government in contemporary civilizations. This is a great feat of the imagination that takes great effort on the part of the teacher.

The key starting point for putting America in perspective is its very unique founding. As reflected in its government and institutions, the country was founded as a republic. The people themselves determine what their government will do by choosing from among their fellow citizens those who will represent their interest in government decisions. Compared to monarchies and tyrannies, aristocracies and oligarchies, establishing a republic was an extraordinary exception in the 1700s, especially given its poor historical record of success dating back to the ancient world.

But what was truly unprecedented about America is that it was founded based not merely on borders and not on ethnicity, but on an idea, namely that “all men are created equal,” a truth for all peoples at all times. To found a political community and government on an explicit idea about human beings was truly unheard of in history.

The sources of this truth were as old as the ancients, but their particular articulation in the Declaration of Independence and their assertion as the foundation of just government were altogether novel attempts in political history. “[T]he Laws of Nature and of Nature’s God” served as the foundation for America, where nature indicated the truth of reality and of human nature. These truths stood outside of the will of any human being.

And so within the specific circumstances of the colonists’ struggle with the British government in the 18th century the founders posited in the Declaration of Independence the “abstract truth, applicable to all men and all times,” as Abraham Lincoln put it, that “all men are created equal” and that the purpose of government is to “secure these rights.”

These principles are what made the founding of America truly exceptional, and an exception in human history.

How Teachers Can Learn More

TEXTS

<i>The U.S. Constitution: A Reader</i> , ed. Hillsdale College Politics Faculty	Chapters 1–3
<i>The Political Theory of the American Founding</i> , Thomas West	
<i>On Duties</i> , Marcus Tullius Cicero	Books I-III
<i>Second Treatise of Government</i> , John Locke	
<i>American Government and Politics</i> , Joseph Bessette and John Pitney	Chapters 1 and 4

ONLINE COURSES | [Online.Hillsdale.edu](https://online.hillsdale.edu)

Introduction to the Constitution
Constitution 101

Primary Sources Studied in This Unit

On the Laws, Book I, Marcus Tullius Cicero
Second Treatise of Government, Chapter 9, John Locke
 The Mayflower Compact
 The Declaration of Independence
 The Massachusetts Constitution of 1780, Preamble and Part the First
 Virginia Declaration of Rights
 Fragment on the Constitution and Union, Abraham Lincoln
 Inaugural Address, George Washington
 Farewell Address, George Washington
 The Northwest Ordinance, Article III
 Report of the Commissioners for the University of Virginia, Thomas Jefferson & James Madison
 Letter to the Massachusetts Militia, John Adams
 Fast Day Proclamation of the Continental Congress
 First Annual Address to Congress, George Washington
 Thanksgiving Proclamation, George Washington
 Letter to the Hebrew Congregation, George Washington
 To the Society of Quakers, George Washington
 The Virginia Statute for Religious Freedom
 “Memorial and Remonstrance Against Religious Assessments,” James Madison
 Letter to the Danbury Baptist Association, Thomas Jefferson
 Fragment on the French Revolution, Alexander Hamilton
 “Property,” James Madison
 Bill for the Support of the Poor, Thomas Jefferson
 The Examination No. 7, Alexander Hamilton
Notes on the State of Virginia, Query 8, Thomas Jefferson

LESSON PLANS, ASSIGNMENTS, AND QUIZZES

Lesson 1 — Liberty, Equality, Rights, and Self-Government

6-7 classes

LESSON OBJECTIVE

Students learn how the thought and practice of republicanism and liberalism, as expressed especially in the Declaration of Independence and through the practice of self-government, formed the philosophical and practical underpinnings of the United States.

ONLINE COURSES FOR TEACHERS | Online.Hillsdale.edu

Introduction to the Constitution
Constitution 101

Lectures 1, 2, 3, and 4
Lectures 1 and 2

PRIMARY SOURCES

Students are to read or, if they have previously read, review the following primary source(s). While reading, students should annotate these sources. For particularly challenging texts or if the class is offered earlier in high school, the teacher may wish to provide students with guided reading questions (included in appendix) to assist with comprehension, clarity, and direction. Using their annotations and any guided reading questions, students should come to class prepared to participate in a seminar conversation on each text.

On the Laws, Book I, Marcus Tullius Cicero
Second Treatise of Government, Chapter 9, John Locke
The Mayflower Compact
The Declaration of Independence
The Massachusetts Constitution of 1780, Preamble and Part the First
Virginia Declaration of Rights
Fragment on the Constitution and Union, Abraham Lincoln

TERMS AND TOPICS

polis	state of nature
politics	Laws of Nature and of Nature's God
political philosophy	natural rights
public policy	social contract
natural law	consent of the governed
principles	limited government
morality	tyranny
virtue	revolution
liberalism	equality
democratic republicanism	natural rights
rule of law	unalienable
self-evident	liberty
objectivity	pursuit of happiness

QUESTIONS FOR THE AMERICAN MIND

- What are natural rights and why do human beings have them? Where do they come from?
- What does human equality mean in the statement, “all men are created equal”? Equal in what respects? In which ways are people *not* equal according to the Founders?
- What view of human nature does this presuppose?
- What does “unalienable” mean? Who or what, precisely, can alienate our rights?
- What are the overall ideas that we collectively call “liberalism”?
- What is the relationship between the state of nature, the social contract, representative government, and consent of the governed?
- Why did the founding generation consider government’s powers to be “just” only when government is instituted by the consent of the governed?
- Was the Founders’ idea of justice based on nothing more than consent? What considerations might be more important to consider than consent?
- What is the purpose of government?
- How do natural rights both empower and limit the government?
- What is meant by “limited government”?
- What are “the Laws of Nature and of Nature’s God”?
- What is a “self-evident” truth?
- What is the importance of individual freedom within liberalism?
- What is tyranny?
- What is the right to revolution, why do people have this right, and when may it be exercised?
- How does natural-rights liberalism help overcome the problems of religious and class-based factionalism and the great political evils they can produce, namely, civil war and tyranny?
- What is meant by a “natural aristocracy”?
- How is life in democracy different from life in aristocracy, especially in considering the idea of “the equality of conditions” compared to a nobility and established social classes?
- Questions from the U.S. Civics Test:
 - Question 8: Why is the Declaration of Independence important?
 - Question 10: Name two important ideas from the Declaration of Independence and the U.S. Constitution.
 - Question 11: The words “Life, Liberty, and the pursuit of Happiness” are in what founding document?
 - Question 12: What is the economic system of the United States?
 - Question 13: What is the rule of law?

KEYS TO THE LESSON

America is like other nations in that it has a people, a geographic location, and laws that govern it. But America is also very different. It was founded at a particular time on the basis of particular ideas. In the end, America is not bound by an ethnic character, a common religion, or even a shared history as much as by a set of principles held to true and universal and established as the basis for this particular nation. These principles bind America’s extraordinarily diverse people into one nation through a shared belief and commitment to these principles. Students must understand this unique quality about their country and know what these principles are: there are self-evident truths, that all are equal and equally possess rights by

nature, and that chief among these are life, liberty, and the pursuit of happiness. The reason people join together to form a government is to secure their rights and preserve their safety and happiness.

Teachers might best plan and teach Liberty, Equality, Rights, and Self-Government with emphasis on the following approaches:

- Begin the year considering what *politics* is. Briefly sketch its origins in the ancient world and what virtues it demands of those who would practice it well, particularly that cardinal virtue of prudence.
- While scheduling may limit the study of other thinkers related to political order and the American founding, it would be best for teachers to familiarize themselves with those thinkers who, while disagreeing in many ways, were at least united in conversation around what human nature is and what it means for the civic body. These would include those who contributed to the western philosophical tradition and experience in government up to and during the American founding, such as Plato, Aristotle, Cicero, Niccolò Machiavelli, Thomas Hobbes, and Adam Smith; those who more directly informed the Founders, such as Algernon Sidney, William Blackstone, and Montesquieu; and the relevant political histories of ancient civilizations (e.g., Babylonians, Hebrews, Greeks, Romans), medieval society, the Enlightenment, England, and the British North American colonies. Spending some time to review these figures, ideas, and histories with students or at least to refer to them where appropriate may be helpful in teaching the first three units of this course.
- Outline with students (or if they have already studied early American history, review) the key historical circumstances in which the Founding occurred, especially the following:
 - The colonists who settled in British North America came from many nations (chiefly but not exclusively those of Europe) for many different reasons, but one thing they did not bring with them were the class distinctions that defined the aristocratic and monarchical nations they left behind. These individuals (except for their British governors) were common people who immigrated to America seeking their freedom and to better their station in life.
 - Religious faith strongly defined colonial culture, largely because so many came to America to escape the religious persecutions of the old world. From the pilgrims and the Puritans to Roman Catholics and Jews, a wide variety of denominations found throughout colonial settlements. This diversity fostered religious liberty and toleration at the same time that it strengthened a common morality rooted in religious faith and practice, which was widespread and imbued colonial society.
 - Colonial America was highly literate and the leading members of colonial society and government were educated in classical thought, ancient and contemporary history, and philosophy and politics (including thinkers of the moderate Enlightenment).
 - Consider the year 1619 at Jamestown as an insight into colonial America:
 - On one hand, it was in 1619 that the first Africans, having been taken from a Portuguese slave ship en route to Mexico by an English privateer, landed at Jamestown.
 - On the other hand, it was also in 1619 at Jamestown that the Virginia House of Burgesses first convened, marking the beginning of representative self-government in the colonies. This self-government would flourish for over a hundred and fifty years as the British colonists of North America largely

governed themselves and developed the thought, practice, and habits of a self-governing people (a phenomenon that Edmund Burke described as “salutary neglect”).

- Have students read and annotate excerpts from John Locke’s *Second Treatise of Government*. Locke was the political theorist most quoted by the Founders during the 1770s, and his articulation of the principles of equality and consent shaped the principles on which America was founded. Students should pay special attention to the state of nature, the existence of natural rights, the equal possession thereof, the source of these rights, and how and why governments are created with respect to these rights. Guide students through the form a government should have based on the types of powers it needs to enforce the law of nature and protect natural rights. Students should be able to draw connections between Locke’s ideas and the subsequent ideas and institutions of the American Founders.
- Have students read and annotate the Declaration of Independence. Much of the lesson should involve connecting ideas in the Declaration to the primary sources in this lesson. Utilize these sources to provide further elaboration on what Thomas Jefferson meant by certain statements in the Declaration. Students should understand how other colonial documents, certain ancient and British thinkers, and British legal customs informed the Declaration, but also how the Declaration was a new articulation and combination of such ideas, particularly as principles that were universal and thus formed the basis of a new country.
- Help students to consider that the Founders were making assertions about the existence of objective truth by referencing “the Laws of Nature and of Nature’s God” and by describing the truths as self-evident. This line of thinking adheres to the first law of logic, that of contradiction, which is the basis of all reasoning and of our capacity to make sense of reality: i.e., that something cannot both be and not be at the same time in the same way. The use of the words “the Laws of Nature and of Nature’s God” ties truth to an external reality (nature) with fixed and reliable features (laws). “Self-evident” ties truth to fixed definitions—a “self-evident” claim is one that is true by definition of the idea in question, like the claim that a triangle has three sides. A “self-evident” truth is not merely a matter of perspective; it can be known and understood by anyone at any time.
- Note that for the Founders, the “Laws...of Nature’s God” implied that this understanding of nature was consistent with the Christian tradition within which the American founding occurred. Other references to divine sources of truth in the Declaration include that men are “endowed by their Creator” and its appeals to “the Supreme Judge of the world” and to “the protection of divine Providence.”
- Emphasize with students the importance of an understanding of “nature,” particularly human nature. “Nature” here means not *the physical world* but *the purpose of things*, that toward which a thing’s very existence aims: why something exists. The feature of human nature that distinguishes people from animals is man’s ability to think, communicate, and live together. This means that humans can speak, debate, and agree on certain things. Since man has the ability to deliberate and choose, he is responsible morally for his actions and is also capable of liberty. When we consider human beings living with other human beings, the ends of politics are determined by human nature. That is, the justness of one’s actions or the actions of a people depend on what it means to be human, and should comport with truth.
- Ask students what the Declaration means by “all men are created equal.” The meaning of *equality* in the Declaration refers to universal human dignity and to the equal possession by each person of natural rights, freedoms that are simply part of being human. Individuals are obviously different

by almost any measure. Yet, by nature, human beings are all the same in that they are human and have a human nature. The Declaration does not suggest there is in nature equality of talent, property, or other accidental aspects of one's humanity.

- Have students consider whether women and slaves were included in this understanding of equality. For one thing, in traditional usage, man, or in this case men, used without an article itself refers to the species or to humanity (mankind) as a whole, not male as opposed to female. Based on the totality of their writings available, the Founders meant that men and women share equally in human dignity and in possession of natural rights or freedoms that are simply part of being human. A consistent application of equality would make slavery, for instance, impossible.
- Consider with students that, according to the Declaration, rights do not come from government. Rights are inherent in nature, that is, they come with being a human person. Likewise, individuals do not give up their rights by forming government. People *may* give to government their individual power to secure those rights in certain circumstances in order that the government might use that power to protect the rights of all. But the natural rights possessed by each individual cannot be given up, or taken away unless one has violated the rights of another. This is what is meant by “unalienable.”
- Ask students what the Declaration states to be the purpose of government. Students should be able to see in the Declaration that the purpose of government is to secure the natural rights of each person.
- Ask students about the source of a government's legitimate power. The basis of rule in the American regime is the sovereignty of the people: since all are equal by nature, no one is born to rule or to be ruled. Legitimate government can only arise out of the consent of those governed. The powers of government are defined when they are delegated by agreement of those who possess rights. Thus, the principle of natural rights both empowers government at the same time that it limits it to these specific purposes.
- Ask students how the establishment and recognition of equal natural rights guards against discrimination based on class, religion, or race, and against the factions and civil divisions that often result from such unjust distinctions. Upholding equal natural rights preserves the humanity of each person, encourages all to recognize that humanity in others despite differences, and reminds all to be mindful that one's own dignity is protected insofar as others also hold to the belief in natural rights.
- Help students to understand what is meant by self-government in the political body, i.e., that government derives its “just powers from the consent of the governed,” that is, from the people themselves. Consent requires the people, directly or indirectly, to be involved in making the laws. It also implies participation in the activities of governing (office holding, voting, serving as jurors, etc.).
- Consider with students the colonists' “appeal to heaven.” King George III was neither securing the rights of the colonists nor providing for the protection. In fact, he and the British Parliament were doing many things that denied the colonists' rights. When a government fails to protect fundamental rights, the people may alter or abolish the current government and form a new one to assure their safety and happiness. This is called the right of revolution.
- Read with students aloud in class Abraham Lincoln's commentary on the relationship between the Declaration of Independence and the Constitution. Students should be able to think within this analogy throughout the study of the founding.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain the principles that make America—namely, the law of nature, natural rights, equality, self-government, the purpose of government, and the objectivity of truth (4–5 paragraphs).

Name _____

Date _____

Unit 1 | Formative Quiz

Covering Lesson 1
10-15 minutes

DIRECTIONS: Answer each question in at least one complete sentence.

1. What are natural rights and why do human beings have them? Where do they come from?
2. What is the purpose of government?
3. What is meant by “limited government”?
4. What are “the Laws of Nature and of Nature’s God”?
5. How are “all men created equal”? In what ways are people *not* equal according to the Founders?

Lesson 2 — Necessities for Freedom and Self-Government

3-4 classes

LESSON OBJECTIVE

Students learn about the conditions necessary for the flourishing and perpetuation of freedom and self-government, particularly in a constitutional republic.

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Introduction to the Constitution
Constitution 101

Lecture 9
Lecture 5

PRIMARY SOURCES

Students are to read or, if they have previously read, review the following primary source(s). While reading, students should annotate these sources. For particularly challenging texts or if the class is offered earlier in high school, the teacher may wish to provide students with guided reading questions to assist with comprehension, clarity, and direction. Using their annotations and any guided reading questions, students should come to class prepared to participate in a seminar conversation on each text.

Inaugural Address, George Washington
Farewell Address, George Washington
The Northwest Ordinance, Article III
Report of the Commissioners for the University of Virginia, Thomas Jefferson
Letter to the Massachusetts Militia, John Adams
Fast Day Proclamation of the Continental Congress
First Annual Address to Congress, George Washington
Thanksgiving Proclamation, George Washington
Letter to the Hebrew Congregation, George Washington
To the Society of Quakers, George Washington
The Virginia Statute for Religious Freedom
“Memorial and Remonstrance Against Religious Assessments,” James Madison
Letter to the Danbury Baptist Association, Thomas Jefferson
Fragment on the French Revolution, Alexander Hamilton
“Property,” James Madison

TERMS AND TOPICS

self-government
morality
virtue
liberal education
property

commercial republic
religion
free exercise of religion
freedom of speech

QUESTIONS FOR THE AMERICAN MIND

- What are the virtues and character necessary for freedom and self-government?
- How did the Founders promote morality?
- Why are self-reliance and martial virtue important for a free people?
- How are liberal and civic education necessary for freedom and self-government?
- How did the Land Ordinance of 1785 promote public vs. private ownership of land and public education?
- How did the Northwest Ordinance of 1787 promote public education and prevent the expansion of slavery?
- How did the Founders promote education?
- How does religion help promote morality and freedom?
- What is the free exercise of religion and why is it important?
- What is freedom of speech and why is it so crucial to freedom and self-government?
- What is the significance of property rights, commerce, and work?
- What economic conditions make American democracy possible? Could American democracy under the forthcoming Constitution be reconciled with any and every economic system?
- Why do critics of American democracy such as Karl Marx believe that private property is the root of injustice? How would Madison and Hamilton have responded to Marx and his followers' criticism?
- Why are social mobility and a large, functioning middle class important?
- What is the commercial republic and how does it shape character?
- Questions from the U.S. Civics Test:
 - Question 6: What does the Bill of Rights protect?
 - Question 12: What is the economic system of the United States?
 - Question 13: What is the rule of law?
 - Question 65: What are three rights of everyone living in the United States?
 - Question 67: Name two promises that new citizens make in the Oath of Allegiance.
 - Question 69: What are two examples of civic participation in the United States?
 - Question 70: What is one way Americans can serve their country?

KEYS TO THE LESSON

Benjamin Franklin, on departing the Constitutional Convention, was asked what the convention's delegates had proposed. Franklin responded, "A republic, if you can keep it." The American system of self-government rests ultimately on the capacity of Americans to govern themselves in political terms and to exercise personal self-government (good character) in their own lives. Students preparing for the full responsibilities of citizenship ought to understand thoroughly this necessity to life in the American republic. The key facets to preserving free government involve citizens being knowledgeable, morally upright, spirited, and free to use their minds, voices, and possessions to maintain liberty and the rule of law. Schools, religion, civic organizations, and the family are the key institutions by which citizens are formed to be able to govern themselves. The public and private contributions of the vast majority of citizens who govern their own lives as such is the determining factor in the health of the American republic and in the experiment in free self-government. Should these falter or fail in the individual lives of citizens, the preservation of liberty and equal human dignity will not long last.

Teachers might best plan and teach *Necessities for Freedom and Self-Government* with emphasis on the following approaches:

- Teach students about the two major achievements of Congress under the Articles of Confederation: the Land Ordinance of 1785 and the Northwest Ordinance of 1787. Students should understand the historic emphasis many Founders placed on public education, private land ownership, and preventing the spread of slavery as evident in these laws. The Northwest Ordinance in particular articulates principles that would later be reflected in the Constitution, namely, consent of the governed, private property, and the liberty of individuals. Each of these, the Founders argued, would be indispensable if freedom and self-government were to succeed in the United States.
- Consider with students George Washington’s observation in his First Inaugural that “the foundations of our national policy will be laid in the pure and immutable principles of private morality” and in his Farewell Address that “Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports” and that “let us with caution indulge the supposition that morality can be maintained without religion.”
- Emphasize with students the most famous line from Article III of the Northwest Ordinance: “Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.” Make clear for students the significance of knowledge and character as fostered by education. Public (meaning taxpayer-funded) support for education, both secular and religious, was present in colonial Massachusetts for decades prior to the founding and would continue through the Land Ordinance of 1785 and the Northwest Ordinance. The township system portioned out land reserved for education explicitly. America was a trailblazer in allocating so many resources exclusively for education. In addition to instruction in knowledge, character-building and the development of patriotic and dutiful citizens were chief purposes of these public schools.
- Have students consider the Founders’ arguments for the necessity of religion in fostering morality, virtue, and character. While opinions varied on religious belief and the extent to which government should endorse a single church, specifically at the state-level, there was general consensus that the instruction in moral conduct, duty, and charity in religion warranted at least the encouragement of religious practice by governments. Read and discuss with students the writings of Washington, Jefferson, and Madison on the topic of religion, both to see the degrees to which the Founders agreed and disagreed regarding religion. They should see, at the very least, that the free exercise of religion was of paramount importance. Hamilton’s commentary on the French Revolution shows the dangers inherent in a society that disregards or outright oppresses religion.
- Review with students James Madison’s “Property” from the previous lesson. Rights to hold and preserve property are intimately tied to one’s right to defend oneself and to better one’s condition. The “pursuit of happiness” aims at and recognizes goods higher than mere material prosperity. The right to property, if not sufficient to human happiness, is most certainly necessary to the individual liberty to pursue such happiness. Moreover, the free allocation of scarce resources through commerce ensures that all can have what they most need at the times in which they most need it while contributing to ideas and positive activity conducive to the general improvement of human life.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain why the American Founders argued that education, religion, private property, and freedom of speech were necessary in a citizenry in order for freedom and self-government to exist (3–4 paragraphs).

Lesson 3 — Public Policy and Partisanship

2-3 classes

LESSON OBJECTIVE

Students learn about the Founders' thoughts in various public policy areas and their concern about and attempts to avoid the rise of partisanship in American politics.

ONLINE COURSES FOR TEACHERS | Online.Hillsdale.edu

Introduction to the Constitution
Constitution 101

Lecture 7
Lectures 3 and 5

PRIMARY SOURCES

Students are to read or, if they have previously read, review the following primary source(s). While reading, students should annotate these sources. For particularly challenging texts or if the class is offered earlier in high school, the teacher may wish to provide students with guided reading questions to assist with comprehension, clarity, and direction. Using their annotations and any guided reading questions, students should come to class prepared to participate in a seminar conversation on each text.

Bill for the Support of the Poor, Thomas Jefferson
Farewell Address, George Washington
The Examination No. 7, Alexander Hamilton
Notes on the State of Virginia, Query 8, Thomas Jefferson

TERMS AND TOPICS

public policy
economics
taxation
regulation
property rights
diplomacy
immigration

criminal law
marriage and family law
factionalism
partisanship
civil war
tyranny
revolution

QUESTIONS FOR THE AMERICAN MIND

- How did the Founders think about public policy, especially in the following areas:
 - economics
 - taxation
 - regulation
 - the protection of property
 - war and diplomacy
 - immigration
 - criminal law
 - laws affecting morality
 - obscenity laws
 - marriage and family law
- Why were the Founders worried about partisanship? How did they attempt to overcome it?

- How did partisanship nonetheless arise?
- Questions from the U.S. Civics Test:
 - Question 12: What is the economic system of the United States?
 - Question 70: What is one way Americans can serve their country?
 - Question 71: Why is it important to pay federal taxes?

KEYS TO THE LESSON

Often we think of and look to the American Founders only in terms of the principles and institutions they set down as the American foundation. This is their primary benefit to us, but we ought not lose sight of the real public policy issues and positions that the Founders had to address in their own time. They approached these issues with the principles of the founding fresh in mind and cognizant of the importance that beginnings have in all affairs, especially that of a country. Students should understand the Founders' policy positions, why they held them, and how they might guide us today while navigating the challenges of partisanship.

Teachers might best plan and teach Public Policy and Partisanship with emphasis on the following approaches:

- Talk with students about how the Founders saw the economic role of government as being to uphold the rule of law, enforce contracts, protect property, and permit economic activity that did not violate natural rights. This ensured broad latitude to the liberty of private individuals to trade with one another freely with only minimal regulation. Taxation at the federal level was limited largely to matters of national defense.
- While opinions varied, help students to see how George Washington's actions and advice regarding foreign policy sought to abstain as much as possible from permanent alliances and passionate foreign attachments in order to establish and maintain an independent national character.
- Read aloud with students in class Alexander Hamilton's Examination No. 7 on the need for a citizenry that holds certain principles and habits of conduct conducive to respecting the rights of fellow citizens. In a nation as diverse as the United States and that is not bound by blood, understanding of, adherence to, and practice in these principles of self-government become all the more important. Immigration policy for Hamilton, therefore, sought to encourage as much immigration as was possible while still achieving these prerequisites to maintaining free government. In brief, an immigrant had to understand and be willing and able to practice the responsibilities of self-government.
- Consider with students the Founders' positions on the preservation of morality and the role of the family. While freedom of speech was given broad interpretation, the public utterance and promotion of obscenity was understood to undermine the moral habits of the citizenry, especially the young, and government thus had an interest in restricting such speech to private quarters. The primacy of the family was also significant, as the security, material support, education, sense of duty, and work ethic cultivated first in the family were all equally important to a self-governing citizenry.
- Explain to students how strongly the Founders sought to resist the rise of factions and partisanship. It should be made clear, however, that the Founders' resistance to partisanship was not in some general idea of bipartisanship for bipartisanship's sake. Instead, the Founders

believed that if all Americans held to the ideas of the American founding, then there were few disagreements so fundamental as to justify separate and permanent parties. The Founders had no qualms, however, with resisting movements and ideas that rejected the principles of the founding, mainly because such a rejection was, in their view, a rejection of objective truth and justice themselves. Such a rejection of these founding principles was thought irrational and almost certainly to lead to tyranny.

STRENGTHENING UNDERSTANDING: POST-LESSON ASSIGNMENT

Assignment: Explain the Founders' arguments on the government's role in economic activity, foreign policy, immigration, and family life (2–3 paragraphs).

APPENDIX A

Study Guide

Test

Writing Assignment

Unit 1 Test — Study Guide

Test on _____

TERMS AND TOPICS

Explain each of the following and the context in which it was discussed during this unit's lessons.

polis	social contract	free exercise of religion
politics	consent of the governed	freedom of speech
political philosophy	limited government	public policy
natural law	tyranny	economics
principles	revolution	taxation
morality	equality	regulation
virtue	unalienable	property rights
liberalism	liberty	diplomacy
rule of law	pursuit of happiness	immigration
self-evident	natural aristocracy	criminal law
objectivity	self-government	marriage and family law
state of nature	liberal education	factionalism
Laws of Nature and of	property	partisanship
Nature's God	commercial republic	civil war
natural rights	religion	

PRIMARY SOURCES

Explain the main arguments in each of the following sources and their significance to our understanding of America's founding principles.

On the Laws, Book I, Marcus Tullius Cicero
Second Treatise of Government, Chapter 9, John Locke
 The Mayflower Compact
 The Declaration of Independence
 Fragment on the Constitution and Union, Abraham Lincoln
 "Property," James Madison
 Farewell Address, George Washington
 Report of the Commissioners of the University of Virginia, Thomas Jefferson
 First Inaugural Address, George Washington
 The Northwest Ordinance, Article III
 First Annual Address to Congress, George Washington
 Thanksgiving Proclamation, George Washington
 Letter to the Hebrew Congregation, George Washington
 Letter to the Danbury Baptist Association, Thomas Jefferson
 Bill for the Support of the Poor, Thomas Jefferson
Notes on the State of Virginia, Query 8, Thomas Jefferson

QUESTIONS FOR THE AMERICAN MIND

Based on notes from lessons and seminar conversations, answer each of the following.

Lesson 1 | Liberty, Equality, Rights, and Self-Government

- What are natural rights and why do human beings have them? Where do they come from?
- What does human equality mean in the statement that “all men are created equal”? Equal in what respects? In what ways are people *not* equal according to the Founders?
- What view of human nature does this presuppose?
- What does “unalienable” mean? Who or what, precisely, can alienate our rights?
- What are the overall ideas that we collectively call “liberalism”?
- What is the relationship between the state of nature, the social contract, representative government, and consent of the governed?
- Why did the founding generation consider government’s powers to be “just” only when government is instituted by the consent of the governed?
- Was the Founders’ idea of justice based on nothing more than consent? What considerations might be more important than consent?
- What is the purpose of government?
- How do natural rights both empower and limit the government?
- What is the importance of individual freedom with liberalism?
- What is the right to revolution, why do people have this right, and when may it be exercised?
- How does natural-rights liberalism help overcome the problems of religious and class-based factionalism and the great political evils they can produce, namely, civil war and tyranny?
- What is meant by a “natural aristocracy”?
- How is life in democracy different from life in aristocracy, especially in considering the idea of “the equality of conditions” compared to a nobility and established social classes?

Lesson 2 | The Necessities for Freedom and Self-Government

- What are the virtues and character necessary for freedom and self-government?
- How did the Founders promote morality?
- Why are self-reliance and martial virtue important for a free people?
- How are liberal and civic education necessary for freedom and self-government?
- How did the Land Ordinance of 1785 promote public vs. private ownership of land and public education?
- How did the Northwest Ordinance of 1787 promote public education and prevent the expansion of slavery?
- How did the Founders promote education?
- How does religion help promote morality and freedom?
- What is the free exercise of religion, and why is it important?
- What is freedom of speech and why is it so crucial to freedom and self-government?
- What is the significance of property rights, commerce, and work?
- Why are social mobility and a large, functioning middle class important?
- What is the commercial republic and how does it shape character?

Lesson 3 | Public Policy and Partisanship

- How did the Founders think about public policy, especially in the following areas:
 - economics
 - taxation
 - regulation
 - the protection of property
 - war and diplomacy
 - immigration
 - criminal law
 - laws affecting morality
 - obscenity laws
 - marriage and family law
- Why were the Founders worried about partisanship? How did they attempt to overcome it?
- How did partisanship nonetheless arise?

Name_____

Date_____

Unit 1 | Test — The Principles of America

TERMS AND TOPICS

Explain each of the following and the context in which it was discussed during this unit's lessons.

1. politics
2. principles
3. morality
4. virtue
5. liberalism
6. rule of law
7. self-evident
8. Laws of Nature and of Nature's God
9. social contract
10. limited government
11. tyranny
12. liberty

13. self-government

14. liberal education

15. partisanship

PRIMARY SOURCES

Explain the main arguments in each of the following sources and their significance to our understanding of America's founding principles.

16. *Second Treatise of Government*, Chapter 9, John Locke

17. Farewell Address, George Washington

18. The Northwest Ordinance, Article III

19. Letter to the Hebrew Congregation, George Washington

QUESTIONS FOR THE AMERICAN MIND

Answer each of the following. Complete sentences are not necessary, but correct spelling and writing should be employed, and responses must fully answer each question.

20. What are natural rights and why do human beings have them? Where do they come from?

21. What is the relationship between the state of nature, the social contract, representative government, and consent of the governed?

22. What is the purpose of government?

23. What is the right to revolution, why do people have this right, and when may it be exercised?

24. How are “all men created equal”? In what ways are people not equal according to the Founders?

25. What are the virtues and character necessary for freedom and self-government?

26. How did the Founders promote morality?

27. How are liberal and civic education necessary for freedom and self-government?

28. How does religion help promote morality and freedom?

29. What is freedom of speech and why is it so crucial to freedom and self-government?

30. What is the significance of property rights, commerce, and work?

31. How did the Founders think about taxation?

32. How did the Founders think about regulation?

33. How did the Founders think about war and diplomacy?

34. How did the Founders think about immigration?

35. How did the Founders think about marriage and family law?

Unit 1 | Writing Assignment — The Principles of America

Due on _____

DIRECTIONS

Citing primary sources and conversations from class in your argument, write a 500–800-word essay answering the question:

What are the principles on which America was founded, and what qualities must American citizens and society exhibit in order to sustain such principles of civic life?

APPENDIX B

Primary Sources

Marcus Tullius Cicero

John Locke

The Pilgrims

The Second Continental Congress

The People of Massachusetts

The Fifth Virginia Convention

Abraham Lincoln

James Madison

George Washington

Thomas Jefferson

John Adams

Alexander Hamilton

The United States Congress

The Virginia General Assembly

MARCUS TULLIUS CICERO*De Legibus*, Book I

BOOK EXCERPTS

51 BC

*On the Laws***BACKGROUND**

The Roman lawyer and statesman Marcus Tullius Cicero wrote this treatise, modeled after Plato's dialogue *The Laws*, amidst his efforts to resist the rise of dictatorship in the Roman Republic.

ANNOTATIONS**NOTES & QUESTIONS**

...It is therefore an absurd extravagance in some philosophers to assert that all things are necessarily just, which are established by the civil laws and the institutions of the people. Are then the laws of tyrants just, simply because they are laws? If the thirty tyrants of Athens imposed certain laws on the Athenians, and if these Athenians were delighted with these tyrannical laws, are we therefore bound to consider these laws as just? For my own

5 part, I do not think such laws deserve any greater estimation than that past during our own interregnum, which ordained, that the dictator should be empowered to put to death with impunity, whatever citizens he pleased, without hearing them in their own defence.

There can be but one essential justice, which cements society, and one law which establishes

10 this justice. This law is right reason, which is the true rule of all commandments and prohibitions. Whoever neglects this law, whether written or unwritten, is necessarily unjust and wicked.

But if justice consists in submission to written laws and national customs, and if, as the

15 Epicureans persist in affirming, every thing must be measured by utility alone, he who

Marcus Tullius Cicero, *Treatise on the Laws* (51 BC), The Online Library of Liberty, Liberty Fund, Inc., http://files.libertyfund.org/files/545/Cicero_0044.02.pdf. [Original Source: *The Political Works of Marcus Tullius Cicero: Comprising his Treatise on the Commonwealth; and his Treatise on the Laws. Translated from the original, with Dissertations and Notes in Two Volumes*, Vol. 2, trans. Francis Barham (London: Edmund Spettigue, 1841-42).]

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wishes to find an occasion of breaking such laws and customs, will be sure to discover it. So that real justice remains powerless if not supported by nature, and this pretended justice is overturned by that very utility which they call its foundation.

5 But this is not all. If nature does not ratify law, all the virtues lose their sway. What becomes of generosity, patriotism, or friendship? Where should we find the desire of benefitting our neighbours, or the gratitude that acknowledges kindness? For all these virtues proceed from our natural inclination to love and cherish our associates. This is the true basis of justice, and without this, not only the mutual charities of men, but the religious services of the gods, would become obsolete; for these are preserved, as I imagine, rather by the natural
10 sympathy which subsists between divine and human beings, than by mere fear and timidity.

If the will of the people, the decrees of the senate, the adjudications of magistrates, were sufficient to establish justice, the only question would be how to gain suffrages, and to win
15 over the votes of the majority, in order that corruption and spoliation, and the falsification of wills, should become lawful. But if the opinions and suffrages of foolish men had sufficient weight to outbalance the nature of things, might they not determine among them, that what is essentially bad and pernicious should henceforth pass for good and beneficial? Or why should not a law able to enforce injustice, take the place of equity? Would not this
20 same law be able to change evil into good, and good into evil?

As far as we are concerned, we have no other rule capable of distinguishing between a good or a bad law, than our natural conscience and reason. These, however, enable us to separate justice from injustice, and to discriminate between the honest and the scandalous. For com-
25 mon sense has impressed in our minds the first principles of things, and has given us a general acquaintance with them, by which we connect with Virtue every honourable and excellent quality, and with Vice all that is abominable and disgraceful.

Now we must entirely take leave of our senses, ere we can suppose that law and justice have
30 no foundation in nature, and rely merely on the transient opinions of men. We should not

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venture to praise the virtue of a tree or a horse, in which expression there is an abuse of terms, were we not convinced that this virtue was in their nature, rather than in our opinion. For a stronger reason, it is mainly with respect to the moral nature of things, that we ought to speak of honour and shame among men.

5

If opinion could determine respecting the character of universal virtue, it might also decide respecting particular or partial virtues. But who will dare to determine that a man is prudent and cautious in his moral disposition, from any external appearances. For virtue evidently lies in perfect rationality, and this resides in the inmost depths of our nature. The same remark applies to all honour and honesty, for we judge of true and false, creditable and discreditable, rather by their essential qualities, than their external relations. Thus we judge according to their intrinsic nature, that rationality of life, which is virtue, must be ever constant and perpetual, and that inconstancy must necessarily be vicious....

10

ANONYMOUS (JOHN LOCKE)

Two Treatises of Government

BOOK EXCERPTS

December 1689
England

BACKGROUND

English doctor and political thinker John Locke published this work on government during the time of Glorious Revolution in England, which was read and influential among colonial leaders in the British North American colonies during the following century.

GUIDING QUESTIONS

1. Why do men form political societies according to Locke?
2. What are the two powers man possesses in the state of nature?

John Locke, "Book II," in *Two Treatises of Government* (London: C. and J. Rivington, 1824).

123. If man in the state of nature be so free, as has been said; if he be absolute lord of his own person and possessions, equal to the greatest, and subject to nobody, why will he part with his freedom? Why will he give up his empire, and subject himself to the dominion and control of any other power? To which it is obvious to answer, that though in the state of nature he hath such a right, yet the enjoyment of it is very uncertain, and constantly exposed to the invasion of others; for all being kings as much as he, every man his equal, and the greater part no strict observers of equity and justice, the enjoyment of the property he has in this state is very unsafe, very unsecure. This makes him willing to quit a condition, which, however free, is full of fears and continual dangers: and it is not without reason, that he seeks out, and is willing to join in society with others, who are already united, or have a mind to unite, for the mutual preservation of their lives, liberties, and estates, which I call by the general name, property.

124. The great and chief end, therefore, of men's uniting into commonwealths, and putting themselves under government, is the preservation of their property. To which in the state of nature there are many things wanting. First, There wants an established, settled, known law, received and allowed by common consent to be the standard of right and wrong, and the common measure to decide all controversies between them: for though the law of nature be plain and intelligible to all rational creatures; yet men being biased by their interest, as well as ignorant for want of studying it, are not apt to allow of it as a law binding to them in the application of it to their particular cases.

125. Secondly, In the state of nature there wants a known and indifferent judge, with authority to determine all differences according to the established law: for every one in that state being both judge and executioner of the law of nature, men being partial to themselves, passion and revenge is very apt to carry them too far, and with too much heat, in their own cases; as well as negligence, and unconcernedness, to make them too remiss in other men's.

126. Thirdly, In the state of nature there often wants power to back and support the sentence when right, and to give it due execution. They who by any injustice offend, will seldom fail, where they are able, by force to make good their injustice; such resistance many times makes the punishment dangerous, and frequently destructive, to those who attempt
5 it.

127. Thus mankind, notwithstanding all the privileges of the state of nature, being but in an ill condition, while they remain in it, are quickly driven into society. Hence it comes to pass that we seldom find any number of men live any time together in this state. The inconveniencies that they are therein exposed to, by the irregular and uncertain exercise of
10 the power every man has of punishing the transgressions of others, make them take sanctuary under the established laws of government, and therein seek the preservation of their property. It is this makes them so willingly give up every one his single power of punishing, to be exercised by such alone, as shall be appointed to it amongst them; and by such rules as the community, or those authorized by them to that purpose, shall agree on. And in this
15 we have the original right of both the legislative and executive power, as well as of the governments and societies themselves.

128. For in the state of nature, to omit the liberty he has of innocent delights, a man has two powers. The first is to do whatsoever he thinks fit for the preservation of himself and others within the permission of the law of nature: by which law, common to them all, he
20 and all the rest of mankind are one community, make up one society, distinct from all other creatures. And, were it not for the corruption and viciousness of degenerate men, there would be no need of any other; no necessity that men should separate from this great and natural community, and by positive agreements combine into smaller and divided associations. The other power a man has in the state of nature, is the power to punish the crimes
25 committed against that law. Both these he gives up, when he joins in a private, if I may so call it, or particular politic society, and incorporates into any commonwealth, separate from the rest of mankind.

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129. The first power, viz. “of doing whatsoever he thought fit for the preservation of himself,” and the rest of mankind, he gives up to be regulated by laws made by the society, so far forth as the preservation of himself and the rest of that society shall require; which laws of the society in many things confine the liberty he had by the law of nature.

- 5 130. Secondly, The power of punishing he wholly gives up, and engages his natural force, (which he might before employ in the execution of the law of nature, by his own single authority, as he thought fit) to assist the executive power of the society, as the law thereof shall require: for being now in a new state, wherein he is to enjoy many conveniencies, from the labor, assistance, and society of others in the same community, as well as protection
- 10 from its whole strength; he is to part also, with as much of his natural liberty, in providing for himself, as the good, prosperity, and safety of the society shall require; which is not only necessary, but just, since the other members of the society do the like....

THE UNDERSIGNED SUBJECTS OF KING JAMES

Agreement Between
the Settlers of New Plymouth

LAW

November 11, 1620

Mayflower | Off the Coast of Cape Cod

The Mayflower Compact

BACKGROUND

The settlers who traveled to the British possession of Virginia on the *Mayflower* drafted and signed this agreement pertaining to their governance before disembarking in the New World.

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IN THE NAME OF GOD, AMEN. We, whose names are underwritten, the Loyal Subjects of our dread Sovereign Lord King James, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country, a Voyage

5 to plant the first Colony in the northern Parts of Virginia; Do by these Presents, solemnly and mutually, in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation, and Further-

ance of the Ends aforesaid: And by Virtue hereof do enact, constitute, and frame, such just and equal Laws, Ordinances, Acts, Constitutions, and Officers, from time to time, as shall

10 be thought most meet and convenient for the general Good of the Colony; unto which we promise all due Submission and Obedience.

IN WITNESS whereof we have hereunto subscribed our names at Cape-Cod the eleventh of November, in the Reign of our Sovereign Lord King James, of England, France, and Ireland, the eighteenth, and of Scotland the fifty-fourth, Anno Domini; 1620.

"The Mayflower Compact," in *History of Plymouth Plantation by William Bradford*, ed. Charles Deane (Boston, 1856), 89-90.

THE THIRTEEN UNITED STATES OF AMERICA

The Unanimous Declaration

A DECLARATION

July 4, 1776

Pennsylvania State House | Philadelphia, Pennsylvania

Declaration of Independence

BACKGROUND

The delegates from each colony at the Second Continental Congress announced their votes to form a new country separate from Great Britain in this statement to mankind that expounds both the principles on which this new country would be founded and the reasons they judged themselves justified to separate.

GUIDING QUESTIONS

1. Why do the United States believe they need to release a statement about their decision to form a country separate from Great Britain?
2. What do they consider about the truths they posit?
3. How are all men equal?
4. From where comes their rights?
5. What is the reason why people create governments?
6. From where comes a government's powers?
7. What may a people do if a government does not fulfill its ends?

"The Declaration of Independence," in *The U.S. Constitution: A Reader*, ed. Hillsdale College Politics Faculty (Hillsdale, MI: Hillsdale College Press, 2012), 5-9.

8. Although governments should not be changed for small reasons, when should the people change them?
9. Against which person does the Declaration of Independence level its charges?
10. What actions involving the military has this person carried out against the colonists?
11. What legal practices has this person violated?
12. What efforts have the colonists made to seek redress and reconciliation with Great Britain?
13. To whom do the representatives appeal for the justness of their intentions?
14. By whose authority do the representatives declare independence?
15. What do each of the representatives pledge to one another?

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When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should
5 declare the causes which impel them to the separation.

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
10 among Men, deriving their just powers from the 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 to 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. Prudence, indeed, will dictate that Governments long estab-
15 lished should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such
20 Government, and to provide new Guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a
25 candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, un-
30 less suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

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He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

5 He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

10 He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

15 He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

20 He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

25 He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

30 He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

5

For Quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

10

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

15

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offenses:

20

For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

25

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

30

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

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He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

5 He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

10 He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

15 He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

20 In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured 25 them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

30

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We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent

5 States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance

10 on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

Georgia

Button Gwinnett, Lyman Hall, George Walton

15

North Carolina

William Hooper, Joseph Hewes, John Penn

South Carolina

20 Edward Rutledge, Thomas Heyward, Jr., Thomas Lynch, Jr., Arthur Middleton

Maryland

Samuel Chase, William Paca, Thomas Stone, Charles Carroll of Carrollton

25 Virginia

George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, Jr., Francis Lightfoot Lee, Carter Braxton

Pennsylvania

30 Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Ross

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Delaware

Caesar Rodney, George Read, Thomas McKean

New York

5 William Floyd, Philip Livingston, Francis Lewis, Lewis Morris

New Jersey

Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abraham Clark

10 New Hampshire

Josiah Bartlett, William Whipple, Matthew Thornton

Massachusetts

John Hancock, Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry

15

Rhode Island

Stephen Hopkins, William Ellery

Connecticut

20 Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott

THE STATE OF MASSACHUSETTS

A Constitution or Frame of Government

LAW EXCERPTS

October 25, 1780
Massachusetts

BACKGROUND

Massachusetts adopted this new constitution in the midst of the Revolutionary War.

GUIDING QUESTIONS

1. How is a political community or body-politic formed?
2. What are some of the rights with which men are born?
3. Upon what does the happiness, order, and preservation of a people and government depend?
4. What duties are required of citizens of Massachusetts?

Oscar Handlin and Mary Flug Handlin, ed. *The Popular Sources of Political Authority: Documents on the Massachusetts Constitution of 1780*, (Cambridge: Belknap Press of Harvard University Press, 1966).

Preamble

The end of the institution, maintenance and administration of government, is to secure the existence of the body-politic; to protect it, and to furnish the individuals who compose it, with the power of enjoying, in safety and tranquillity, their natural rights, and the blessings
 5 of life: And whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity and happiness.

The body-politic is formed by a voluntary association of individuals: It is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the
 10 people, therefore, in framing a Constitution of Government, to provide for an equitable mode of making laws, as well as for an impartial interpretation, and a faithful execution of them; that every man may, at all times, find his security in them.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the Great Legislator of the Universe, in affording us, in the course of His providence,
 15 an opportunity, deliberately and peaceably, without fraud, violence or surprise, of entering into an original, explicit, and solemn compact with each other; and of forming a new Constitution of Civil Government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, DO agree upon, ordain and establish, the following Declaration of Rights, and Frame of Government, as the CONSTITUTION of the COMMON-
 20 WEALTH of MASSACHUSETTS.

Part the First. A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Art. I.--All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and
 25 liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

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II.--It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great creator and preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshiping GOD in the manner and season most agreeable to the dictates of his own conscience;
 5 or for his religious profession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

III.--As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion and morality; and as these cannot be generally diffused through a community, but by the institution of the public worship of GOD, and of
 10 public instructions in piety, religion and morality: Therefore, to promote their happiness and to secure the good order and preservation of their government, the people of this Commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies-politic, or religious societies, to make suitable provision, at
 15 their own expense, for the institution of the public worship of GOD, and for the support and maintenance of public protestant teachers of piety, religion and morality, in all cases where such provision shall not be made voluntarily.

And the people of this Commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the
 20 public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Provided notwithstanding, that the several towns, parishes, precincts, and other bodies-politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

25 And all monies paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on

whose instructions he attends: otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said monies are raised.

And every denomination of christians, demeaning themselves peaceably, and as good subjects of the Commonwealth, shall be equally under the protection of the law: And no subordination of any one sect or denomination to another shall ever be established by law.

IV.--The people of this Commonwealth have the sole and exclusive right of governing themselves as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter, be by them expressly delegated to the United States of America, in Congress assembled.

V.--All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

VI.--No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children, or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

VII.--Government is instituted for the common good; for the protection, safety, prosperity and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men; Therefore the people alone have an incontestible, unalienable, and indefeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity and happiness require it.

VIII.--In order to prevent those, who are vested with authority, from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

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IX.--All elections ought to be free; and all the inhabitants of this Commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

5 X.--Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: But no part of the property of any individual, can, with justice, be taken from him, or applied to public uses without his own consent, or that of the representative body of the people: In fine, the people of this Commonwealth are not controlable
10 by any other laws, than those to which their constitutional representative body have given their consent. And whenever the public exigencies require, that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

15 XI.--Every subject of the Commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

20 XII.--No subject shall be held to answer for any crime or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs, that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his council, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put
25 out of the protection of the law, exiled, or deprived of his life, liberty, or estate; but by the judgment of his peers, or the law of the land.

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And the legislature shall not make any law, that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

5 XIII.--In criminal prosecutions, the verification of facts in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

10 XIV.--Every subject has a right to be secure from all unreasonable searches, and seizures of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation; and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities, prescribed by the laws.

15 XV.--In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high-seas, and such as relate to mariners wages, the legislature shall hereafter find it necessary to alter it.

XVI.--The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this Commonwealth.

20 XVII.--The people have a right to keep and to bear arms for the common defence. And as in time of peace armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

25 XVIII.--A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free gov-

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ernment: The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: And they have a right to require of their law-givers and magistrates, an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the Commonwealth.

5

XIX.--The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives; and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

10

XX.--The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as the legislature shall expressly provide for.

15

XXI.--The freedom of deliberation, speech and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

XXII.--The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

20

XXIII.--No subsidy, charge, tax, impost, or duties, ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people, or their representatives in the legislature.

XXIV.--Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

25

XXV.--No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

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XXVI.--No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments

XXVII.--In time of peace no soldier ought to be quartered in any house without the consent of the owner; and in time of war such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

XXVIII.--No person can in any case be subjected to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

XXIX.--It is essential to the preservation of the rights of every individual, his life, liberty, property and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit. It is therefore not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

XXX.--In the government of this Commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: The executive shall never exercise the legislative and judicial powers, or either of them: The judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

FIFTH VIRGINIA CONVENTION

A Declaration of Rights

DECLARATION

June 12, 1776

The Capitol | Williamsburg, Virginia

BACKGROUND

As the delegates to the Second Continental Congress were recessed and considering a vote for independence, Virginia adopted the following declaration.

GUIDING QUESTIONS

1. What is the basis of Virginians' rights?
2. Which rights refer specifically to government?

George Mason, "Final Draft of the Virginia Declaration of Rights," in *The Papers of George Mason, 1727-1792*, ed. Robert A. Rutland (Chapel Hill, NC: University of North Carolina Press, 1970).

A DECLARATION OF RIGHTS made by the representatives of the good people of Virginia, assembled in full and free Convention; which rights do pertain to them and their posterity, as the basis and foundation of government.

1. THAT all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.
2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.
3. That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and that whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and indefeasible right, to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.
4. That no man, or set of men, are entitled to exclusive or separate emoluments and privileges from the community, but in consideration of public services; which, not being descendible, neither ought the offices of magistrate, legislator, or judge to be hereditary.
5. That the legislative and executive powers of the State should be separate and distinct from the judiciary; and that the members of the two first may be restrained from oppression, by feeling and participating the burthens³ of the people, they should, at fixed periods, be reduced to a private station, return into that body from

which they were originally taken, and the vacancies be supplied by frequent, certain, and regular elections, in which all, or any part of the former members, to be again eligible, or ineligible, as the laws shall direct.

- 5 6. That elections of members to serve as representatives of the people, in assembly, ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed or deprived of their property for public uses without their own consent, or that of their representative so elected, nor bound by any law to which they have not, in like manner, assented, for the public good.
- 10 7. That all power of suspending laws, or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.
- 15 8. That in all capital or criminal prosecutions a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of twelve men of his vicinage,⁴ without whose unanimous consent he cannot be found guilty, nor can he be compelled to give evidence against himself; that no man be deprived of his liberty, except by the law of the land or the judgment of his peers.
- 20 9. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
10. That general warrants, whereby any officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offence is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.
- 25 11. That in controversies respecting property, and in suits between man and man, the ancient trial by jury is preferable to any other, and ought to be held sacred.

12. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments.
13. That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state; that standing armies, in time of peace, should be avoided, as dangerous to liberty; and that, in all cases, the military should be under strict subordination to, and governed by, the civil power.
14. That the people have a right to uniform government; and therefore, that no government separate from, or independent of, the government of Virginia, ought to be erected or established within the limits thereof.
15. That no free government, or the blessing of liberty, can be preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality, and virtue, and by frequent recurrence to fundamental principles.
16. That religion, or the duty which we owe to our CREATOR, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence, and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity, towards each other.

PRESIDENT-ELECT ABRAHAM LINCOLN (R-IL)**On the Constitution and Union**

UNPUBLISHED WRITING FRAGMENT

January 1861

BACKGROUND

Abraham Lincoln scrawled these words on the relationship between the Constitution and the Declaration of Independence, potentially as part of his drafts for his First Inaugural Address, though they were not used in the final speech nor in any other public comments.

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All this is not the result of accident. It has a philosophical cause. Without the Constitution and the Union, we could not have attained the result; but even these, are not the primary cause of our great prosperity. There is something back of these, entwining itself more closely about the human heart. That something, is the principle of "Liberty to all"—the principle that clears the path for all—gives hope to all—and, by consequence, enterprise, and industry to all.

The expression of that principle, in our Declaration of Independence, was most happy, and fortunate. Without this, as well as with it, we could have declared our independence of Great Britain; but without it, we could not, I think, have secured our free government, and consequent prosperity. No oppressed, people will fight, and endure, as our fathers did, without the promise of something better, than a mere change of masters.

The assertion of that principle, at that time, was the word, "fitly spoken" which has proved an "apple of gold" to us. The Union, and the Constitution, are the picture of silver, subsequently framed around it. The picture was made, not to conceal, or destroy the apple; but

Abraham Lincoln, "Fragment on the Constitution and the Union," January 1861, in *The Collected Works of Abraham Lincoln*, Vol. 4, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 168-69.

On the Constitution and Union
Abraham Lincoln

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to adorn, and preserve it. The picture was made for the apple—not the apple for the picture.

So let us act, that neither picture, or apple shall ever be blurred, or bruised or broken.

That we may so act, we must study, and understand the points of danger.

PRESIDENT GEORGE WASHINGTON**First Inaugural Address**

SPEECH

April 30, 1789

Federal Hall | New York City, New York

BACKGROUND

George Washington gave this address to Congress on the occasion of his inauguration.

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Fellow Citizens of the Senate and the House of Representatives.

Among the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the fourteenth day of the present month. On the one hand, I was summoned by my Country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision, as the asylum of my declining years: a retreat which was rendered every day more necessary as well as more dear to me, by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time. On the other hand, the magnitude and difficulty of the trust to which the voice of my Country called me, being sufficient to awaken in the wisest and most experienced of her citizens, a distrustful scrutiny into his qualifications, could not but overwhelm with dispondence, one, who, inheriting inferior endowments from nature and unpractised in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions, all I dare aver, is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance, by which it might be affected. All I dare hope, is, that, if in executing

George Washington, "First Inaugural Address," in *George Washington: A Collection*, ed. W.B. Allen (Indianapolis: Liberty Classics, 1988), 460-63.

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this task I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendent proof, of the confidence of my fellow-citizens; and have thence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me; my error will be palliated by the motives which misled me, and its consequences be judged by my Country, with some share of the partiality in which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station; it would be peculiarly improper to omit in this first official Act, my fervent supplications to that Almighty Being who rules over the Universe, who presides in the Councils of Nations, and whose providential aids can supply every human defect, that his benediction may consecrate to the liberties and happiness of the People of the United States, a Government instituted by themselves for these essential purposes: and may enable every instrument employed in its administration to execute with success, the functions allotted to his charge. In tendering this homage to the Great Author of every public and private good I assure myself that it expresses your sentiments not less than my own; nor those of my fellow-citizens at large, less than either. No People can be bound to acknowledge and adore the invisible hand, which conducts the Affairs of men more than the People of the United States. Every step, by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency. And in the important revolution just accomplished in the system of their United Government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most Governments have been established, without some return of pious gratitude along with an humble anticipation of the future blessings which the past seem to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me I trust in thinking, that there are none under the influence of which, the proceedings of a new and free Government can more auspiciously commence.

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By the article establishing the Executive Department, it is made the duty of the President "to recommend to your consideration, such measures as he shall judge necessary and expedient." The circumstances under which I now meet you, will acquit me from entering into that subject, farther than to refer to the Great Constitutional Charter under which you are assembled; and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute, in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude, and the patriotism which adorn the characters selected to devise and adopt them. In these honorable qualifications, I behold the surest pledges, that as on one side, no local prejudices, or attachments; no separate views, nor party animosities, will misdirect the comprehensive and equal eye which ought to watch over this great assemblage of communities and interests: so, on another, that the foundations of our National policy will be laid in the pure and immutable principles of private morality; and the pre-eminence of a free Government, be exemplified by all the attributes which can win the affections of its Citizens, and command the respect of the world.

I dwell on this prospect with every satisfaction which an ardent love for my Country can inspire: since there is no truth more thoroughly established, than that there exists in the economy and course of nature, an indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and felicity: Since we ought to be no less persuaded that the propitious smiles of Heaven, can never be expected on a nation that disregards the eternal rules of order and right, which Heaven itself has ordained: And since the preservation of the sacred fire of liberty, and the destiny of the Republican model of Government, are justly considered as deeply, perhaps as finally staked, on the experiment entrusted to the hands of the American people.

Besides the ordinary objects submitted to your care, it will remain with your judgment to decide, how far an exercise of the occasional power delegated by the Fifth article of the Constitution is rendered expedient at the present juncture by the nature of objections

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which have been urged against the System, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from official opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good: For I assure myself that whilst you carefully avoid every alteration which might endanger the benefits of an United and effective Government, or which ought to await the future lessons of experience; a reverence for the characteristic rights of freemen, and a regard for the public harmony, will sufficiently influence your deliberations on the question how far the former can be more impregably fortified, or the latter be safely and advantageously promoted.

10 To the preceeding observations I have one to add, which will be most properly addressed to the House of Representatives. It concerns myself, and will therefore be as brief as possible. When I was first honoured with a call into the Service of my Country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed. And being still under the impressions which produced it, I must decline as inapplicable to myself, any share in the personal emoluments, which may be indispensably included in a permanent provision for the Executive Department; and must accordingly pray that the pecuniary estimates for the Station in which I am placed, may, during my continuance in it, be limited to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments, as they have been awakened by the occasion which brings us together, I shall take my present leave; but not without resorting once more to the benign parent of the human race, in humble supplication that since he has been pleased to favour the American people, with opportunities for deliberating in perfect tranquility, and dispositions for deciding with unparelled unanimity on a form of Government, for the security of their Union, and the advancement of their happiness; so his divine blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures on which the success of this Government must depend.

PRESIDENT GEORGE WASHINGTON

To the People of America

LETTER

September 19, 1796

American Daily Advertiser | Philadelphia, Pennsylvania

Farewell Address

BACKGROUND

George Washington wrote this letter to the American people announcing his retirement from the Presidency after his second term. At the time, there were no term limits on the presidency.

GUIDING QUESTIONS

1. What is one of the main pillars supporting American independence, according to Washington?
2. How are the various geographical parts of the country connected to one another?
3. What are Washington's main criticisms of partisanship?
4. Which habits are necessary for political prosperity and popular government?
5. Why is Washington opposed to permanent alliances with other nations?
6. What should be the foreign policy of the United States in relation to other nations?

George Washington, "Farewell Address," 19 September 1796, in *George Washington: A Collection*, ed. W. B. Allen (Indianapolis, IN: Liberty Fund, 1988), 512–17.

Friends, and Fellow Citizens:

The period for a new election of a Citizen, to Administer the Executive government of the United States, being not far distant, and the time actually arrived, when your thoughts must be employed in designating the person, who is to be clothed with that important trust, it
5 appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation,
10 which binds a dutiful citizen to his country, and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your Suffrages have
15 twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire.

I constantly hoped, that it would have been much earlier in my power, consistently with motives, which I was not at liberty to disregard, to return to that retirement, from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last
20 Election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our Affairs with foreign Nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice, that the state of your concerns, external as well as internal, no longer renders the
25 pursuit of inclination incompatible with the sentiment of duty, or propriety; and am persuaded whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

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The impressions, with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say, that I have, with good intentions, contributed towards the Organization and Administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious, in the outset, of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe, that while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment, which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that, under circumstances in which the Passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of Success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your Union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its Administration in every department may be stamped with wisdom and Virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete, by so careful a

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preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

5 Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments; which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a People. These will be offered to you with the more freedom, as you can only see in them
10 the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

15 The Unity of Government which constitutes you one people is also now dear to you. It is justly so; for it is a main Pillar in the Edifice of your real independence, the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very Liberty which you so highly prize. But as it is easy to foresee, that from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in
20 your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment, that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immoveable attachment
25 to it; accustoming yourselves to think and speak of it as of the Palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our

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Country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to You, in your national capacity, must always exalt the just pride
5 of Patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same Religion, Manners, Habits and political Principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils, and joint efforts; of common dangers, sufferings and successes.
10

But these considerations, however powerfully they address themselves to your sensibility are greatly outweighed by those which apply more immediately to your Interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

15 The *North*, in an unrestrained intercourse with the *South*, protected by the equal Laws of a common government, finds in the productions of the latter, great additional resources of Maritime and commercial enterprise and precious materials of manufacturing industry. The *South* in the same Intercourse, benefitting by the Agency of the *North*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of
20 the *North*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the National navigation, it looks forward to the protection of a Maritime strength, to which itself is unequally adapted. The *East*, in a like intercourse with the *West*, already finds, and in the progressive improvement of interior communications, by land and water, will more and more find, a valuable vent
25 for the commodities which it brings from abroad, or manufactures at home. The *West* derives from the *East* supplies requisite to its growth and comfort, and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future Maritime strength of the

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Atlantic side of the Union, directed by an indissoluble community of interest as *one Nation*. Any other tenure by which the *West* can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign Power, must be intrinsically precarious.

5 While then every part of our country thus feels an immediate and particular Interest in Union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their Peace by foreign Nations; and, what is of inestimable value! they must derive from Union an exemption from those broils and Wars between
10 themselves, which so frequently afflict neighboring countries, not tied together by the same government; which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise they will avoid the necessity of those overgrown Military establishments, which under any form of Government are inauspicious to liberty, and which are to be regarded
15 as particularly hostile to Republican Liberty: In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of Patriotic desire. Is there a
20 doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective Subdivisions, will afford a happy issue to the experiment. 'Tis well worth a fair and full experiment. With such powerful and obvious motives to Union, affecting all parts
25 of our country, while experience shall not have demonstrated its impracticability, there will always be reason, to distrust the patriotism of those, who in any quarter may endeavor to weaken its bands.

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In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by Geographical discriminations: Northern and Southern—Atlantic and Western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of Party to acquire influence, within particular districts, is to misrepresent the opinions and aims of other Districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render Alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our Western country have lately had a useful lesson on this head. They have seen, in the Negotiation by the Executive; and in the unanimous ratification by the Senate, of the Treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests [in] regard to the Mississippi. They have been witnesses to the formation of two Treaties, that with Great Britain and that with Spain, which secure to them every thing they could desire, in respect to our Foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their Brethren and connect them with Aliens?

To the efficacy and permanency of your Union, a Government for the whole is indispensable. No alliances however strict between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all Alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of Government, better calculated than your former for an intimate Union, and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its

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own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its Laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true Liberty. The basis of our political systems is the right of the people to make and to alter their Constitutions of Government. But the Constitution
5 which at any time exists, 'til changed by an explicit and authentic act of the whole People, is sacredly obligatory upon all. The very idea of the power and the right of the People to establish Government presupposes the duty of every Individual to obey the established Government.

All obstructions to the execution of the Laws, all combinations and Associations, under
10 whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the Constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation, the will of a party; often a small but artful and enterprising minority of the Community; and, ac-
15 cording to the alternate triumphs of different parties, to make the public administration the Mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests. However combinations or Associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become po-
20 tent engines, by which cunning, ambitious and unprincipled men will be enabled to subvert the Power of the People, and to usurp for themselves the reins of Government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your Government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its
25 acknowledged authority, but also that you resist with care the spirit of innovation upon its principles however specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of

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Governments, as of other human institutions; that experience is the surest standard, by which to test the real tendency of the existing Constitution of a country; that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change, from the endless variety of hypotheses and opinion, and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a Government of as much vigor as is consistent with the perfect security of Liberty is indispensable. Liberty itself will find in such a Government, with powers properly distributed and adjusted, its surest Guardian. It is indeed little else than a name, where the Government is too feeble to withstand the enterprises of faction, to confine each member of the Society within the limits prescribed by the Laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of Parties in the State, with particular reference to the founding of them on Geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the Spirit of Party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human Mind. It exists under different shapes in all Governments, more or less stifled, controlled, or repressed; but, in those of the popular form, it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissention, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries, which result, gradually incline the minds of men to seek security and repose in the absolute power of an Individual; and sooner or later the chief of some prevailing faction more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of Public Liberty.

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Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of Party are sufficient to make it the interest and the duty of a wise People to discourage and restrain it.

5 It serves always to distract the Public Councils and enfeeble the Public administration. It agitates the Community with ill-founded jealousies and false alarms, kindles the animosity of one part against another, foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country, are subjected to the policy and will of another.

10 There is an opinion that parties in free countries are useful checks upon the Administration of the government and serve to keep alive the spirit of Liberty. This within certain limits is probably true, and in Governments of a Monarchical cast Patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in Governments purely elective, it is a spirit not to be encouraged. From their natural ten-
15 dency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion to mitigate and assuage it. A fire not to be quenched; it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free Country should inspire caution
20 in those entrusted with its administration, to confine themselves within their respective Constitutional spheres; avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the
25 human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power; by dividing and distributing it into different depositories, and constituting each the Guardian of the Public Weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our

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country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the People, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, Religion and morality are indispensable supports. In vain would that man claim the tribute of Patriotism, who should labor to subvert these great Pillars of human happiness, these firmest props of the duties of Men and citizens. The mere Politician, equally with the pious man ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in Courts of Justice? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that National morality can prevail in exclusion of religious principle.

'Tis substantially true, that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free Government. Who that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric.

Promote then as an object of primary importance, Institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible: avoiding occasions of expense by cultivat-

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ing peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of Peace to discharge the Debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your Representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be Revenue; that to have Revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the Conduct of the Government in making it, and for a spirit of acquiescence in the measures for obtaining Revenue which the public exigencies may at any time dictate.

15 Observe good faith and justice towards all Nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great Nation, to give to mankind the magnanimous and too novel example of a People always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human Nature. Alas! is it rendered impossible by its vices?

25 In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular Nations and passionate attachments for others should be excluded; and that in place of them just and amicable feelings towards all should be cultivated. The Nation, which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one Nation against

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another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The Nation, prompted by ill will and resentment sometimes impels to War the Government, contrary to the best calculations of policy. The Government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the Nation subservient to projects of hostility instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the Liberty, of Nations has been the victim.

10 So, likewise, a passionate attachment of one Nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and Wars of the latter, without adequate inducement or justification: It leads also to concessions to the favorite Nation of privileges denied to others, which is apt doubly to injure the Nation making the concession; 15 by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate, in the parties from whom equal privileges are withheld: And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite Nation) facility to betray, or sacrifice the interests of their own country, without 20 odium sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition[,] corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent Patriot. How many opportunities do 25 they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public Councils! Such an attachment of a small or weak, towards a great and powerful Nation, dooms the former to be the satellite of the latter.

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Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens), the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of Republican Government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real Patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The Great rule of conduct for us, in regard to foreign Nations is in extending our commercial relations, to have with them as little political connections as possible. So far as we have already formed engagements let them be fulfilled, with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships, or enmities:

Our detached and distant situation invites and enables us to pursue a different course. If we remain one People, under an efficient government, the period is not far off, when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest guided by justice shall Counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle

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our peace and prosperity in the toils of European Ambition, Rivalship, Interest, Humor or Caprice?

'Tis our true policy to steer clear of permanent Alliances, with any portion of the foreign world. So far, I mean, as we are now at liberty to do it, for let me not be understood as
5 capable of patronizing infidelity to existing engagements (I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy). I repeat it therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive
10 posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all Nations, are recommended by policy, humanity and interest. But even our commercial policy should hold an equal and impartial hand: neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of Commerce, but forcing
15 nothing; establishing with Powers so disposed; in order to give to trade a stable course, to define the rights of our Merchants, and to enable the Government to support them; conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that 'tis folly in one Na-
20 tion to look for disinterested favors from another; that it must pay with a portion of its Independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors and yet, of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from Nation to Nation. 'Tis an illusion which expe-
25 rience must cure, which a just pride ought to discard.

In offering to you, my Countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression, I could wish; that they will control the usual current of the passions, or prevent our Nation from running the course which

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has hitherto marked the Destiny of Nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the Impostures of pretended patriotism; this hope will be a full recompense
5 for the solicitude for your welfare, by which they have been dictated.

How far in the discharge of my Official duties, I have been guided by the principles which have been delineated, the public Records and other evidences of my conduct must Witness to You and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

10 In relation to the still subsisting War in Europe, my Proclamation of the 22d of April, 1793 is the index to my Plan. Sanctioned by your approving voice and by that of Your Representatives in both Houses of Congress, the spirit of that measure has continually governed me; uninfluenced by any attempts to deter or divert me from it.

15 After deliberate examination with the aid of the best lights I could obtain I was well satisfied that our Country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a Neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance, and firmness.

20 The considerations, which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe, that according to my understanding of the matter, that right, so far from being denied by any of the Belligerent powers has been virtually admitted by all.

The duty of holding a Neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every Nation, in cases in which it is free to act, to maintain inviolate the relations of Peace and amity towards other Nations.

25 The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without

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interruption, to that degree of strength and consistency, which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my Administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have
5 committed many errors. Whatever they may be I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my Country will never cease to view them with indulgence; and that after forty-five years of my life dedicated to its Service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the Mansions of rest.

10 Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several Generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow Citizens, the benign influence of good Laws under a free Government, the ever favorite
15 object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

THE U.S. CONGRESS OF THE CONFEDERATION

An Ordinance for the Government of the Territory of the United States Northwest of the River Ohio

LAW EXCERPT

July 13, 1787

Federal Hall | New York City, New York

BACKGROUND

Congress passed the Northwest Ordinance to provide the governing structure for all of the territories of the young United States, lands that would later become the states of Ohio, Indiana, Illinois, Michigan, and Wisconsin.

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Article III

Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall
5 never be taken from them without their consent; and in their property, rights, and liberty they never shall be invaded or disturbed unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them....

"The Northwest Ordinance," in *The U.S. Constitution: A Reader*, ed. Hillsdale College Politics Faculty (Hillsdale, MI: Hillsdale College Press, 2012), 121-27.

BOARD OF COMMISSIONERS OF THE UNIVERSITY OF VIRGINIA

Report of the Board of Commissioners

REPORT EXCERPTS

August 4, 1818
Rockfish Gap, Virginia**BACKGROUND**

Thomas Jefferson and James Madison had a role in forming these ideas on education and the public support thereof as members of the Board of Commissioners for the University of Virginia.

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...In proceeding to the third and fourth duties prescribed by the Legislature, of reporting "the branches of learning, which should be taught in the University, and the number and description of the professorships they will require," the Commissioners were first to consider at what point it was understood that university education should commence? Certainly not with the alphabet, for reasons of expediency and impracticability, as well from
5 the obvious sense of the Legislature, who, in the same act, make other provision for the primary instruction of the poor children, expecting, doubtless, that in other cases it would be provided by the parent, or become, perhaps, subject of future and further attention of the Legislature. The objects of this primary education determine its character and limits.
10 These objects would be,

To give to every citizen the information he needs for the transaction of his own business;

To enable him to calculate for himself, and to express and preserve his ideas, his contracts and accounts, in writing;

"Report of the Board of Commissioners for the University of Virginia to the Virginia General Assembly," 4 August 1818," in *The Papers of James Madison*, "Retirement Series," Vol. 1, 4 March 1817–31 January 1820, ed. David B. Mattern, J. C. A. Stagg, Mary Parke Johnson, and Anne Mandeville Colony (Charlottesville: University of Virginia Press, 2009), 326–40.

To improve, by reading, his morals and faculties;

To understand his duties to his neighbors and country, and to discharge with competence the functions confided to him by either;

5 To know his rights; to exercise with order and justice those he retains; to choose with discretion the fiduciary of those he delegates; and to notice their conduct with diligence, with candor, and judgment;

And, in general, to observe with intelligence and faithfulness all the social relations under which he shall be placed.

10 To instruct the mass of our citizens in these, their rights, interests and duties, as men and citizens, being then the objects of education in the primary schools, whether private or public, in them should be taught reading, writing and numerical arithmetic, the elements of mensuration, (useful in so many callings,) and the outlines of geography and history.

15 And this brings us to the point at which are to commence the higher branches of education, of which the Legislature require the development; those, for example, which are,

To form the statesmen, legislators and judges, on whom public prosperity and individual happiness are so much to depend;

20 To expound the principles and structure of government, the laws which regulate the intercourse of nations, those formed municipally for our own government, and a sound spirit of legislation, which, banishing all arbitrary and unnecessary restraint on individual action, shall leave us free to do whatever does not violate the equal rights of another;

25 To harmonize and promote the interests of agriculture, manufactures and commerce, and by well informed views of political economy to give a free scope to the public industry;

To develop the reasoning faculties of our youth, enlarge their minds, cultivate their morals, and instill into them the precepts of virtue and order;

To enlighten them with mathematical and physical sciences, which advance the arts, and administer to the health, the subsistence, and comforts of human life;

5 And, generally, to form them to habits of reflection and correct action, rendering them examples of virtue to others, and of happiness within themselves.

10 These are the objects of that higher grade of education, the benefits and blessings of which the Legislature now propose to provide for the good and ornament of their country, the gratification and happiness of their fellow-citizens, of the parent especially, and his progeny, on which all his affections are concentrated.

PRESIDENT JOHN ADAMS (FEDERALIST)

To the Officers of the Militia of Massachusetts

LETTER

October 11, 1798
Quincy, Massachusetts

BACKGROUND

President John Adams responds to a message sent to him from the militia of his home state of Massachusetts.

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To the Officers of the first Brigade of the third Division of the Militia of Massachusetts

Quincy October 11. 1798

Gentlemen

I have received from Major General Hull and Brigadier General Walker your unanimous
5 Address from Lexington, animated with a martial Spirit and expressed with a military Dignity, becoming your Characters and the memorable Plains, in which it was adopted.

10 While our Country remains untainted with the Principles and manners, which are now producing desolation in so many Parts of the World: while she continues Sincere and incapable of insidious and impious Policy: We shall have the Strongest Reason to rejoice in the local destination assigned Us by Providence. But should the People of America, once become capable of that deep simulation towards one another and towards foreign nations, which assumes the Language of Justice and moderation while it is practicing Iniquity and Extravagance; and displays in the most captivating manner the charming Pictures of Candour frankness & sincerity while it is rioting in rapine and Insolence: this Country will be

John Adams, "From John Adams to Massachusetts Militia," 11 October 1798, Founders Online, National Archives, <https://founders.archives.gov/documents/Adams/99-02-02-3102>.

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the most miserable Habitation in the World. Because We have no Government armed with Power capable of contending with human Passions unbridled by morality and Religion. Avarice, Ambition Revenge or Galantry, would break the strongest Cords of our Constitution as a Whale goes through a Net. Our Constitution was made only for a moral and religious People. It is wholly inadequate to the government of any other

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An Address so unanimous and firm from the officers commanding two thousand Eight hundred Men, consisting of such substantial Citizens as are able and willing at their own Expencc, compleatly to arm, And cloath themselves in handsome Uniforms does honor to that Division of the Militia which has done so much honor to their Country. Oaths, in this

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Country, are as yet universally considered as Sacred Obligations. That which you have taken and so solemnly repeated on that venerable Spot is an ample Pledge of your sincerity, and devotion to your Country and its Government.

John Adams

SECOND CONTINENTAL CONGRESS

Fast Day Proclamation

PROCLAMATION

December 11, 1776
United States of America

BACKGROUND

The Continental Congress called Americans to prayer and fasting in the first winter of the Revolutionary War.

GUIDING QUESTIONS

1. Why is the Continental Congress asking Americans to fast?
2. What conduct is expected of all members and officers of the United States?

"Fast Day Proclamation of the Continental Congress," 11 December 1776, in *The Journals of the Continental Congress, 1774–1789*, Vol. 6, ed. Worthington C. Ford, Gaillard Hunt et al. (Washington, D.C.: Government Printing Office, 1904), 1022.

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Whereas, the war in which the United States are engaged with Great Britain, has not only been prolonged, but is likely to be carried to the greatest extremity; and whereas, it becomes all public bodies, as well as private persons, to reverence the Providence of God, and look up to him as the supreme disposer of all events, and the arbiter of the fate of nations; therefore,

5 Resolved, That it be recommended to all the United States, as soon as possible, to appoint a day of solemn fasting and humiliation; to implore of Almighty God the forgiveness of the many sins prevailing among all ranks, and to beg the countenance and assistance of his Providence in the prosecution of the present just and necessary war.

10 The Congress do also, in the most earnest manner, recommend to all the members of the United States, and particularly the officers civil and military under them, the exercise of repentance and reformation; and further, require of them the strict observation of the articles of war, and particularly, that part of the said articles, which forbids profane swearing, and all immorality, of which all such officers are desired to take notice.

15 It is left to each state to issue out proclamations fixing the days that appear most proper within their several bounds....

PRESIDENT GEORGE WASHINGTON**Annual Message to Congress**

SPEECH EXCERPTS

January 8, 1790

Senate Chamber, Federal Hall | New York City, New York

BACKGROUND

President George Washington gave this address as the first annual message to Congress on the state of the Union, as required per the Constitution.

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Fellow Citizens of the Senate, and House of Representatives...

Among the many interesting objects which will engage your attention, that of providing for the common defence will merit particular regard. To be prepared for war is one of the most effectual means of preserving peace....

- 5 Nor am I less persuaded, that you will agree with me in opinion, that there is nothing which can better deserve your patronage, than the promotion of Science and Literature. Knowledge is in every country the surest basis of publick happiness. In one, in which the measures of government receive their impression so immediately from the sense of the community, as in our's, it is proportionately essential. To the security of a free Constitu-
- 10 tion it contributes in various ways: By convincing those who are entrusted with the publick administration, that every valuable end of government is best answered by the enlightened confidence of the people: And by teaching the people themselves to know, and to value their own rights; to discern and provide against invasions of them; to distinguish between oppression and the necessary exercise of lawful authority; between burthens proceeding

George Washington, "First Annual Address," 8 January 1790, in *A Compilation of the Messages and Papers of the Presidents: Section 1 (of 4) of Volume 1: George Washington*, ed. James D. Richardson (New York : Bureau of National Literature, Inc., 1897; Project Gutenberg, 2004), <https://www.gutenberg.org/files/11314/11314.txt>.

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from a disregard to their convenience, and those resulting from the inevitable exigencies of society; to discriminate the spirit of liberty from that of licentiousness, cherishing the first, avoiding the last, and uniting a speedy, but temperate vigilance against encroachments, with an inviolable respect to the laws.

- 5 Whether this desirable object will be best promoted by affording aids to seminaries of learning already established, by the institution of a national university, or by any other expedients, will be well worthy of a place in the deliberations of the Legislature....

PRESIDENT GEORGE WASHINGTON**Thanksgiving Proclamation**

PROCLAMATION

October 3, 1789

Federal Hall | New York City, New York

BACKGROUND

President George Washington established a day of thanksgiving to God for peaceably establishing a new form of government, to be observed around the one-year anniversary of the new Constitution.

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By the President of the United States of America, a Proclamation.

Whereas it is the duty of all Nations to acknowledge the providence of Almighty God, to obey his will, to be grateful for his benefits, and humbly to implore his protection and favor—and whereas both Houses of Congress have by their joint Committee requested me

5 “to recommend to the People of the United States a day of public thanksgiving and prayer to be observed by acknowledging with grateful hearts the many signal favors of Almighty God especially by affording them an opportunity peaceably to establish a form of government for their safety and happiness.”

Now therefore I do recommend and assign Thursday the 26th day of November next to be

10 devoted by the People of these States to the service of that great and glorious Being, who is the beneficent Author of all the good that was, that is, or that will be—That we may then all unite in rendering unto him our sincere and humble thanks—for his kind care and protection of the People of this Country previous to their becoming a Nation—for the signal and manifold mercies, and the favorable interpositions of his Providence which we experi-

15 enced in the course and conclusion of the late war—for the great degree of tranquility,

George Washington, “Thanksgiving Proclamation,” 3 October 1789, in *The Papers of George Washington*, “Presidential Series,” Vol. 4, 8 September 1789–15 January 1790, ed. Dorothy Twohig (Charlottesville: University Press of Virginia, 1993), 131–32.

Thanksgiving Proclamation
George Washington

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union, and plenty, which we have since enjoyed—for the peaceable and rational manner, in which we have been enabled to establish constitutions of government for our safety and happiness, and particularly the national One now lately instituted—for the civil and religious liberty with which we are blessed; and the means we have of acquiring and diffusing
5 useful knowledge; and in general for all the great and various favors which he hath been pleased to confer upon us.

And also that we may then unite in most humbly offering our prayers and supplications to the great Lord and Ruler of Nations and beseech him to pardon our national and other transgressions—to enable us all, whether in public or private stations, to perform our sev-
10 eral and relative duties properly and punctually—to render our national government a blessing to all the people, by constantly being a Government of wise, just, and constitutional laws, discreetly and faithfully executed and obeyed—to protect and guide all Sovereigns and Nations (especially such as have shewn kindness unto us) and to bless them with good government, peace, and concord—To promote the knowledge and practice of true religion
15 and virtue, and the encrease of science among them and us—and generally to grant unto all Mankind such a degree of temporal prosperity as he alone knows to be best.

Given under my hand at the City of New-York the third day of October in the year of our Lord 1789.

George Washington

PRESIDENT GEORGE WASHINGTON

To the Hebrew Congregation in Newport

LETTER

August 18, 1790
Newport, Rhode Island

BACKGROUND

In his response to a congratulatory note sent by the congregation on the occasion of his election, George Washington expresses his gratitude and discusses religious liberty.

GUIDING QUESTIONS

1. What has "toleration" been replaced with? What is the distinction Washington makes?
2. What natural rights does Washington refer to, and how are they to be protected?

George Washington, "To the Hebrew Congregation in Newport, Rhode Island," 18 August 1790, in *The Papers of George Washington, 1748-1799*, "Presidential Series," Vol. 6, ed. W. W. Abbott et al. (Charlottesville, VA: University of Virginia Press, 1996), 284-85.

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Gentlemen:

While I receive, with much satisfaction, your Address replete with expressions of esteem; I rejoice in the opportunity of assuring you, that I shall always retain grateful remembrance of the cordial welcome I experienced in my visit to Newport, from all classes of Citizens.

5 The reflection on the days of difficulty and danger which are past is rendered the more sweet, from a consciousness that they are succeeded by days of uncommon prosperity and security. If we have wisdom to make the best use of the advantages with which we are now favored, we cannot fail, under the just administration of a good Government, to become a great and happy people.

10 The Citizens of the United States of America have a right to applaud themselves for having given to mankind examples of an enlarged and liberal policy: a policy worthy of imitation. All possess alike liberty of conscience and immunities of citizenship. It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent natural rights. For happily the Government of the
15 United States, which gives to bigotry no sanction, to persecution no assistance requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support.

It would be inconsistent with the frankness of my character not to avow that I am pleased with your favorable opinion of my Administration and fervent wishes for my felicity. May
20 the Children of the Stock of Abraham, who dwell in this land, continue to merit and enjoy the good will of the other Inhabitants; while every one shall sit in safety under his own vine and figtree, and there shall be none to make him afraid. May the father of all mercies scatter light and not darkness in our paths, and make us all in our several vocations useful here, and in his own due time and way everlastingly happy.

PRESIDENT GEORGE WASHINGTON**To the Society of Quakers**

LETTER

October 13, 1789

BACKGROUND

President George Washington responds to a note of congratulations from the Society of Quakers on the occasion of his election.

ANNOTATIONS**NOTES & QUESTIONS**

Gentlemen,

I receive with pleasure your affectionate address, and thank you for the friendly Sentiments & good wishes which you express for the Success of my administration, and for my personal Happiness.

- 5 We have Reason to rejoice in the prospect that the present National Government, which by the favor of Divine Providence, was formed by the common Counsels, and peaceably established with the common consent of the People, will prove a blessing to every denomination of them. To render it such, my best endeavours shall not be wanting.

- 10 Government being, among other purposes, instituted to protect the Persons and Consciences of men from oppression, it certainly is the duty of Rulers, not only to abstain from it themselves, but according to their Stations, to prevent it in others.

The liberty enjoyed by the People of these States, of worshipping Almighty God agreeable to their Consciences, is not only among the choicest of their Blessings, but also of their Rights—While men perform their social Duties faithfully, they do all that Society or

George Washington, "From George Washington to the Society of Quakers, 13 October 1789," in *The Papers of George Washington, "Presidential Series,"* Vol. 4, 8 September 1789–15 January 1790, ed. Dorothy Twohig (Charlottesville: University Press of Virginia, 1993), 265–69.

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the State can with propriety demand or expect; and remain responsible only to their Maker for the Religion or modes of faith which they may prefer or profess.

Your principles & conduct are well known to me—and it is doing the People called Quakers no more than Justice to say, that (except their declining to share with others the burthen of
5 the common defence) there is no Denomination among us who are more exemplary and useful Citizens.

I assure you very explicitly that in my opinion the Consciencious scruples of all men should be treated with great delicacy & tenderness, and it is my wish and desire that the Laws may always be as extensively accomodated to them, as a due regard to the Protection and essen-
10 tial Interests of the Nation may Justify, and permit.

George Washington

THOMAS JEFFERSON

Statute for Religious Freedom

DRAFT BILL

1777
Virginia

BACKGROUND

This 1777 draft bill was the blueprint for one eventually passed in Virginia in 1786, and was one of three actions for which Thomas Jefferson wanted credited mentioned on his tombstone, in addition to being author of the Declaration of Independence and founder of the University of Virginia.

GUIDING QUESTIONS

1. What has Almighty God given man with respect to his mind?
2. What does this statute say are the problems with compelled contributions of money to religion?
3. What particular right of man does this statute protect?

Thomas Jefferson, "A Bill for Establishing Religious Freedom," in *The Papers of Thomas Jefferson*, Vol. 2, ed. Julian P. Boyd (Princeton, NJ: Princeton University Press, 1950), 545-47.

I. *Well aware that the opinions and belief of men depend not on their own will but follow involuntarily the evidence proposed to their minds; that Almighty God hath created the mind free; and manifested his supreme will that free it shall remain by making it altogether insusceptible of restraint; that all attempts to influence it by temporal punishments, or burdens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the holy author of our religion, who being lord both of body and mind, yet chose not to propagate it by coercions on either, as was in his Almighty power to do but to extend it by its influence on reason alone; that the impious presumption of legislators and rulers, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavoring to impose them on others, hath established and maintained false religions over the greatest part of the world and through all time: That to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness and is withdrawing from the ministry those temporary rewards, which proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labors for the instruction of mankind; that our civil rights have no dependence on our religious opinions, any more than our opinions in physics or geometry; that therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages to which, in common with his fellow citizens, he has a natural right; that it tends also to corrupt the principles of that religion it is meant to encourage, by bribing, with a monopoly of worldly honors and emoluments, those who will externally profess and conform to it; that though indeed these are criminal who do not withstand*

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such temptation, yet neither are those innocent who lay the bait in their way *that the opinions of men are not the object of civil government, nor under its jurisdiction*; that to suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy, which at once destroys all religious liberty, because he being of course judge of that tendency will make his opinions the rule of judgement, and approve or condemn the sentiments of others only as they shall square with or differ from his own; that it is time enough for the rightful purposes of civil government for its officers to interfere when principles break out into overt acts against peace and good order; and finally, that truth is great and will prevail if left to herself; that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict unless by human interposition disarmed of her natural weapons, free argument and debate; errors ceasing to be dangerous when it is permitted freely to contradict them.

II. *We the General Assembly of Virginia do enact*, that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burdened in his body or goods, nor shall otherwise suffer, on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

And though we well know that this Assembly, elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of succeeding Assemblies, constituted with powers equal to our own, and that therefore to declare this act to be irrevocable would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operation, such act will be an infringement of natural right.

ANONYMOUS (VIRGINIA HOUSE DELEGATE JAMES MADISON)

A Memorial and Remonstrance

ESSAY

June 20, 1785

General Assembly of the Commonwealth of Virginia | Richmond, Virginia

BACKGROUND

Madison circulated this anonymous essay in order to support the passage of the Virginia Statute for Religious Freedom.

GUIDING QUESTIONS

1. Why must each man's religion be left to his individual conscience?
2. What is the extent of the legislature's power over religion, according to Madison?
3. How does Madison link the founding principle of equality to religious freedom?
4. According to Madison's interpretation, what does the Christian religion itself say about religious freedom?
5. What does Madison think imposing religious assessments will do for the public harmony?
6. In what way would religious assessments impede the "victorious progress of Truth," according to Madison?
7. Among the rights of citizens, what rank does religious freedom have, in Madison's view?

James Madison, "To the Honorable the General Assembly of the Commonwealth of Virginia A Memorial and Remonstrance," 20 June 1785, in *The Papers of James Madison*, Vol. 8, ed. William T. Hutchinson, et al. (Chicago: University of Chicago Press, 1973), 298-304.

To the Honorable the General Assembly of the Commonwealth of Virginia: A Memorial and Remonstrance

We the subscribers, citizens of the said Commonwealth, having taken into serious consideration, a Bill printed by order of the last Session of General Assembly, entitled "A Bill
5 establishing a provision for Teachers of the Christian Religion," and conceiving that the same if finally armed with the sanctions of a law, will be a dangerous abuse of power, are bound as faithful members of a free State to remonstrate against it, and to declare the reasons by which we are determined. We remonstrate against the said Bill,

1. Because we hold it for a fundamental and undeniable truth, "that Religion or the duty
10 which we owe to our Creator and the manner of discharging it, can be directed only by reason and conviction, not by force or violence." The Religion then of every man must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated by their own
15 minds cannot follow the dictates of other men: It is unalienable also, because what is here a right towards men, is a duty towards the Creator. It is the duty of every man to render to the Creator such homage and such only as he believes to be acceptable to him. This duty is precedent, both in order of time and in degree of obligation, to the claims of Civil Society. Before any man can be considered as a member of Civil Society, he must be considered as
20 a subject of the Governor of the Universe: And if a member of Civil Society, who enters into any subordinate Association, must always do it with a reservation of his duty to the General Authority; much more must every man who becomes a member of any particular Civil Society, do it with a saving of his allegiance to the Universal Sovereign. We maintain therefore that in matters of Religion, no mans right is abridged by the institution of Civil
25 Society and that Religion is wholly exempt from its cognizance. True it is, that no other rule exists, by which any question which may divide a Society, can be ultimately determined, but the will of the majority; but it is also true that the majority may trespass on the rights of the minority.

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2. Because if Religion be exempt from the authority of the Society at large, still less can it be subject to that of the Legislative Body. The latter are but the creatures and vicegerents of the former. Their jurisdiction is both derivative and limited: it is limited with regard to the coordinate departments, more necessarily is it limited with regard to the constituents.

5 The preservation of a free Government requires not merely, that the metes and bounds which separate each department of power be invariably maintained; but more especially that neither of them be suffered to overleap the great Barrier which defends the rights of the people. The Rulers who are guilty of such an encroachment, exceed the commission from which they derive their authority, and are Tyrants. The People who submit to it are
10 governed by laws made neither by themselves nor by an authority derived from them, and are slaves.

3. Because it is proper to take alarm at the first experiment on our liberties. We hold this prudent jealousy to be the first duty of Citizens, and one of the noblest characteristics of the late Revolution. The free men of America did not wait till usurped power had strengthened
15 itself by exercise, and entangled the question in precedents. They saw all the consequences in the principle, and they avoided the consequences by denying the principle. We revere this lesson too much soon to forget it. Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects? that the same
20 authority which can force a citizen to contribute three pence only of his property for the support of any one establishment, may force him to conform to any other establishment in all cases whatsoever?

4. Because the Bill violates that equality which ought to be the basis of every law, and which is more indispensable, in proportion as the validity or expediency of any law is more liable
25 to be impeached. If "all men are by nature equally free and independent," all men are to be considered as entering into Society on equal conditions; as relinquishing no more, and therefore retaining no less, one than another, of their natural rights. Above all are they to be considered as retaining an "equal title to the free exercise of Religion according to the dictates of Conscience." Whilst we assert for ourselves a freedom to embrace, to profess

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and to observe the Religion which we believe to be of divine origin, we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence which has convinced us. If this freedom be abused, it is an offense against God, not against man: To God, therefore, not to man, must an account of it be rendered. As the Bill violates equality by
5 subjecting some to peculiar burdens, so it violates the same principle, by granting to others peculiar exemptions. Are the Quakers and Menonists the only sects who think a compulsive support of their Religions unnecessary and unwarrantable? Can their piety alone be entrusted with the care of public worship? Ought their Religions to be endowed above all others with extraordinary privileges by which proselytes may be enticed from all others?
10 We think too favorably of the justice and good sense of these denominations to believe that they either covet pre-eminences over their fellow citizens or that they will be seduced by them from the common opposition to the measure.

5. Because the Bill implies either that the Civil Magistrate is a competent Judge of Religious Truth; or that he may employ Religion as an engine of Civil policy. The first is an arrogant
15 pretension falsified by the contradictory opinions of Rulers in all ages, and throughout the world: the second an unhallowed perversion of the means of salvation.

6. Because the establishment proposed by the Bill is not requisite for the support of the Christian Religion. To say that it is, is a contradiction to the Christian Religion itself, for every page of it disavows a dependence on the powers of this world: it is a contradiction to
20 fact; for it is known that this Religion both existed and flourished, not only without the support of human laws, but in spite of every opposition from them, and not only during the period of miraculous aid, but long after it had been left to its own evidence and the ordinary care of Providence. Nay, it is a contradiction in terms; for a Religion not invented by human policy, must have pre-existed and been supported, before it was established by
25 human policy. It is moreover to weaken in those who profess this Religion a pious confidence in its innate excellence and the patronage of its Author; and to foster in those who still reject it, a suspicion that its friends are too conscious of its fallacies to trust it to its own merits.

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7. Because experience witnesseth that ecclesiastical establishments, instead of maintaining the purity and efficacy of Religion, have had a contrary operation. During almost fifteen centuries has the legal establishment of Christianity been on trial. What have been its fruits? More or less in all places, pride and indolence in the Clergy, ignorance and servility in the
5 laity, in both, superstition, bigotry and persecution. Inquire of the Teachers of Christianity for the ages in which it appeared in its greatest luster; those of every sect, point to the ages prior to its incorporation with Civil policy. Propose a restoration of this primitive State in which its Teachers depended on the voluntary rewards of their flocks, many of them predict its downfall. On which Side ought their testimony to have greatest weight, when for or
10 when against their interest?

8. Because the establishment in question is not necessary for the support of Civil Government. If it be urged as necessary for the support of Civil Government only as it is a means of supporting Religion, and it be not necessary for the latter purpose, it cannot be necessary for the former. If Religion be not within the cognizance of Civil Government how can its
15 legal establishment be necessary to Civil Government? What influence in fact have ecclesiastical establishments had on Civil Society? In some instances they have been seen to erect a spiritual tyranny on the ruins of the Civil authority; in many instances they have been seen upholding the thrones of political tyranny: in no instance have they been seen the guardians of the liberties of the people. Rulers who wished to subvert the public liberty,
20 may have found an established Clergy convenient auxiliaries. A just Government instituted to secure and perpetuate it needs them not. Such a Government will be best supported by protecting every Citizen in the enjoyment of his Religion with the same equal hand which protects his person and his property; by neither invading the equal rights of any Sect, nor suffering any Sect to invade those of another.

25 9. Because the proposed establishment is a departure from that generous policy, which, offering an Asylum to the persecuted and oppressed of every Nation and Religion, promised a luster to our country, and an accession to the number of its citizens. What a melancholy mark is the Bill of sudden degeneracy? Instead of holding forth an Asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of Citizens all

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those whose opinions in Religion do not bend to those of the Legislative authority. Distant as it may be in its present form from the Inquisition, it differs from it only in degree. The one is the first step, the other the last in the career of intolerance. The magnanimous sufferer under this cruel scourge in foreign Regions, must view the Bill as a Beacon on our
5 Coast, warning him to seek some other haven, where liberty and philanthropy in their due extent, may offer a more certain repose from his Troubles.

10. Because it will have a like tendency to banish our Citizens. The allurements presented by other situations are every day thinning their number. To superadd a fresh motive to emigration by revoking the liberty which they now enjoy, would be the same species of folly
10 which has dishonored and depopulated flourishing kingdoms.

11. Because it will destroy that moderation and harmony which the forbearance of our laws to intermeddle with Religion has produced among its several sects. Torrents of blood have been spilt in the old world, by vain attempts of the secular arm, to extinguish Religious discord, by proscribing all difference in Religious opinion. Time has at length revealed the
15 true remedy. Every relaxation of narrow and rigorous policy, wherever it has been tried, has been found to assuage the disease. The American Theater has exhibited proofs that equal and complete liberty, if it does not wholly eradicate it, sufficiently destroys its malignant influence on the health and prosperity of the State. If with the salutary effects of this system under our own eyes, we begin to contract the bounds of Religious freedom, we know
20 no name that will too severely reproach our folly. At least let warning be taken at the first fruits of the threatened innovation. The very appearance of the Bill has transformed "that Christian forbearance, love and charity," which of late mutually prevailed, into animosities and jealousies, which may not soon be appeased. What mischiefs may not be dreaded, should this enemy to the public quiet be armed with the force of a law?

25 12. Because the policy of the Bill is adverse to the diffusion of the light of Christianity. The first wish of those who enjoy this precious gift ought to be that it may be imparted to the whole race of mankind. Compare the number of those who have as yet received it with the number still remaining under the dominion of false Religions; and how small is the former!

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Does the policy of the Bill tend to lessen the disproportion? No; it at once discourages those who are strangers to the light of revelation from coming into the Region of it; and countenances by example the nations who continue in darkness, in shutting out those who might convey it to them. Instead of Levelling as far as possible, every obstacle to the victorious
5 progress of Truth, the Bill with an ignoble and unchristian timidity would circumscribe it with a wall of defense against the encroachments of error.

13. Because attempts to enforce by legal sanctions, acts obnoxious to so great a proportion of Citizens, tend to enervate the laws in general, and to slacken the bands of Society. If it be difficult to execute any law which is not generally deemed necessary or salutary, what must
10 be the case, where it is deemed invalid and dangerous? And what may be the effect of so striking an example of impotency in the Government, on its general authority?

14. Because a measure of such singular magnitude and delicacy ought not to be imposed, without the clearest evidence that it is called for by a majority of citizens, and no satisfactory method is yet proposed by which the voice of the majority in this case may be determined,
15 or its influence secured. "The people of the respective counties are indeed requested to signify their opinion respecting the adoption of the Bill to the next Session of Assembly." But the representation must be made equal, before the voice either of the Representatives or of the Counties will be that of the people. Our hope is that neither of the former will, after due consideration, espouse the dangerous principle of the Bill. Should the event disappoint us,
20 it will still leave us in full confidence, that a fair appeal to the latter will reverse the sentence against our liberties.

15. Because finally, "the equal right of every citizen to the free exercise of his Religion according to the dictates of conscience" is held by the same tenure with all our other rights. If we recur to its origin, it is equally the gift of nature; if we weigh its importance, it cannot
25 be less dear to us; if we consult the "Declaration of those rights which pertain to the good people of Virginia, as the basis and foundation of Government," it is enumerated with equal solemnity, or rather studied emphasis. Either then, we must say, that the Will of the Legislature is the only measure of their authority; and that in the plenitude of this authority, they

Memorial and Remonstrance Against Religious Assessments
James Madison

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may sweep away all our fundamental rights; or, that they are bound to leave this particular right untouched and sacred: Either we must say, that they may control the freedom of the press, may abolish the Trial by Jury, may swallow up the Executive and Judiciary Powers of the State; nay that they may despoil us of our very right of suffrage, and erect themselves

5 into an independent and hereditary Assembly or, we must say, that they have no authority to enact into law the Bill under consideration. We the Subscribers say, that the General Assembly of this Commonwealth have no such authority: And that no effort may be omitted on our part against so dangerous an usurpation, we oppose to it, this remonstrance; earnestly praying, as we are in duty bound, that the Supreme Lawgiver of the Universe, by

10 illuminating those to whom it is addressed, may on the one hand, turn their Councils from every act which would affront his holy prerogative, or violate the trust committed to them: and on the other, guide them into every measure which may be worthy of his blessing, may redound to their own praise, and may establish more firmly the liberties, the prosperity and the happiness of the Commonwealth.

PRESIDENT THOMAS JEFFERSON (DEMOCRATIC-REPUBLICAN)

To the Danbury Baptist Association

LETTER

January 1, 1802
Danbury, Connecticut

BACKGROUND

President Thomas Jefferson responds to the Danbury Baptist Association's request that as president, he aid them in overcoming laws inhibiting religious liberty in Connecticut.

GUIDING QUESTIONS

1. How does Jefferson interpret the First Amendment's Establishment and Free Exercise clauses?
2. Given the principle of federalism, what, as president, is Jefferson able to do for the Association?

Thomas Jefferson, "Replies to Public Addresses," 1 January 1802, in *The Writings of Thomas Jefferson*, Vol. 16, ed. A. A. Lipscomb and A. E. Bergh (Washington, D.C.: Thomas Jefferson Memorial Association, 1907), 281-82.

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Gentlemen:

The affectionate sentiments of esteem and approbation which you are so good as to express towards me, on behalf of the Danbury Baptist Association, give me the highest satisfaction. My duties dictate a faithful and zealous pursuit of the interests of my constituents, and in proportion as they are persuaded of my fidelity to those duties, the discharge of them be-
5 comes more and more pleasing. Believing with you that religion is a matter which lies solely between man and his God, that he owes account to none other for his faith or his worship, that the legislative powers of government reach actions only, and not opinions, I contem-
10 plate with sovereign reverence that act of the whole American people which declared that their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof," thus building a wall of separation between Church and State. Adhering to this expression of the supreme will of the nation in behalf of the rights of con-
science, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural right in opposition to his
15 social duties.

I reciprocate your kind prayers for the protection and blessing of the common Father and Creator of man, and tender you for yourselves and your religious association, assurances of my high respect and esteem.

TREASURY SECRETARY ALEXANDER HAMILTON
On the French Revolution

UNPUBLISHED WRITING FRAGMENT

1794

BACKGROUND

In an unpublished and unfinished piece, Alexander Hamilton expresses serious concerns over the irreligiosity of the French Revolution.

GUIDING QUESTIONS

1. What are the opinions that threaten the foundations of religion, morality, and society?
2. Which two groups are the enemies of religion and government?
3. How is the French Revolution the practical development of these irreligious and anarchic opinions?

Alexander Hamilton, "Fragment on the French Revolution," 1794, in *The Works of Alexander Hamilton*, Vol. 8, Federal Edition, ed. Henry Cabot Lodge (New York: G.P. Putnam's Sons, 1904), 425-29.

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Facts, numerous and unequivocal, demonstrate that the present aera is among the most extraordinary, which have occurred in the history of human affairs. Opinions, for a long time, have been gradually gaining ground, which threaten the foundations of Religion, Morality and Society. An attack was first made upon the Christian Revelation; for which natural Religion was offered as the substitute. The Gospel was to be discarded as a gross imposture; but the being and attributes of a God, the obligations of piety, even the doctrine of a future state of rewards and punishments were to be retained and cherished.

In proportion as success has appeared to attend the plan, a bolder project has been unfolded. The very existence of a Deity has been questioned, and in some instances denied. The duty of piety has been ridiculed, the perishable nature of man asserted and his hopes bounded to the short span of his earthly state. Death has been proclaimed an Eternal Sleep—"the dogma of the *immortality* of the soul a *cheat* invented to torment the living for the benefit of the dead." Irreligion, no longer confined to the closets of concealed sophists, nor to the haunts of wealthy riot, has more or less displayed its hideous front among all classes.

Wise and good men took a lead in delineating the odious character of Despotism; in exhibiting the advantages of a moderate and well-balanced government, in inviting nations to contend for the enjoyment of rational liberty. Fanatics in political science have since exaggerated and perverted their doctrines. Theories of Government unsuited to the nature of man, miscalculating the force of his passions, disregarding the lessons of experimental wisdom, have been projected and recommended. These have every where attracted sectaries and every where the fabric of Government has been in different degrees undermined.

A league has at length been cemented between the apostles and disciples of irreligion and of anarchy. Religion and Government have both been stigmatised as abuses; as unwarrantable restraints upon the freedom of man; as causes of the corruption of his nature, intrinsically good; as sources of an artificial and false morality, which tyrannically robs him of the enjoyments for which his passions fit him; and as cloggs upon his progress to the perfection for which he was destined.

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As a corollary from these premisses, it is a favourite tenet of the sect that religious opinion of any sort is unnecessary to Society; that the maxims of a genuine morality and the authority of the Magistracy and the laws are a sufficient and ought to be the only security for civil rights and private happiness.

- 5 As another corollary, it is occasionally maintained by the same sect, that but a small portion of power is requisite to Government; that even this portion is only temporarily necessary, in consequence of the bad habits which have been produced by the errors of ancient systems; and that as human nature shall refine and ameliorate by the operation of a more enlightened plan, government itself will become useless, and Society will subsist and flourish free from its shackles.
- 10

If all the votaries of this new philosophy do not go the whole length of its frantic creed; they all go far enough to endanger the full extent of the mischiefs which are inherent in so wild and fatal a scheme; every modification of which aims a mortal blow at the vitals of human happiness.

- 15 The practical developement of this pernicious system has been seen in France. It has served as an engine to subvert all her antient institutions civil and religious, with all the checks that served to mitigate the rigour of authority; it has hurried her headlong through a rapid succession of dreadful revolutions, which have laid waste property, made havoc among the arts, overthrow cities, desolated provinces, unpeopled regions, crimsoned her soil with
- 20 blood and deluged it in crime poverty and wretchedness; and all this as yet for no better purpose than to erect on the ruins of former things a despotism unlimited and uncontrolled; leaving to a deluded, an abused, a plundered, a scourged and an oppressed people not even the shadow of liberty, to console them for a long train of substantial misfortunes, of bitter sufferings.

- 25 This horrid system seemed awhile to threaten the subversion of civilized Society and the introduction of general disorder among mankind. And though the frightful evils, which have been its first and only fruits, have given a check to its progress, it is to be feared that the poison has spread too widely and penetrated too deeply, to be as yet eradicated. Its

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activity has indeed been suspended, but the elements remain concocting for new eruptions as occasion shall permit. It is greatly to be apprehended, that mankind is not near the end of the misfortunes, which it is calculated to produce, and that it still portends a long train of convulsion, Revolution, carnage, devastation, and misery.

- 5 Symptoms of the too great prevalence of this system in the United States are alarmingly visible. It was by its influence, that efforts were made to embark this country in a common cause with France in the early period of the present war; to induce our government to sanction and promote her odious principles and views with the blood and treasure of our citizens. It is by its influence, that every succeeding revolution has been approved or excused—
- 10 all the horrors that have been committed justified or extenuated—that even the last usurpation, which contradicts all the ostensible principles of the Revolution, has been regarded with complacency; and the despotic constitution engendered by it slyly held up as a model not unworthy of our Imitation.

In the progress of this system, impiety and infidelity have advanced with gigantic strides.

- 15 Prodigious crimes heretofore unknown among us are seen. The chief and idol of...[ENDS]

REP. JAMES MADISON (VA)

“Property”

ESSAY

March 27, 1792

The National Gazette | Philadelphia, Pennsylvania

BACKGROUND

James Madison included this essay as part of a series of articles he wrote for *The National Gazette* in the early years of American government under the Constitution.

GUIDING QUESTIONS

1. What are the two senses of the word "property" according to Madison?
2. In what way can man's rights, opinions, and the use of his faculties be his property?
3. According to Madison, what must a government do to secure the various senses of property?

James Madison, “Property,” 27 March 1792, in *The Papers of James Madison*, Vol. 14, ed. William T. Hutchinson, et al. (Chicago: University of Chicago Press, 1983), 266–68.

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This term in its particular application means “that dominion which one man claims and exercises over the external things of the world, in exclusion of every other individual.”

In its larger and juster meaning, it embraces every thing to which a man may attach a value and have a right; and which leaves to every one else the like advantage.

- 5 In the former sense, a man’s land, or merchandise, or money is called his property.

In the latter sense, a man has a property in his opinions and the free communication of them.

He has a property of peculiar value in his religious opinions, and in the profession and practice dictated by them.

- 10 He has a property very dear to him in the safety and liberty of his person.

He has an equal property in the free use of his faculties and free choice of the objects on which to employ them.

In a word, as a man is said to have a right to his property, he may be equally said to have a property in his rights.

- 15 Where an excess of power prevails, property of no sort is duly respected. No man is safe in his opinions, his person, his faculties, or his possessions.

Where there is an excess of liberty, the effect is the same, though from an opposite cause.

- 20 Government is instituted to protect property of every sort; as well that which lies in the various rights of individuals, as that which the term particularly expresses. This being the end of government, that alone is a just government, which impartially secures to every man, whatever is his own.

According to this standard of merit, the praise of affording a just securing to property, should be sparingly bestowed on a government which, however scrupulously guarding the possessions of individuals, does not protect them in the enjoyment and communication of

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their opinions, in which they have an equal, and in the estimation of some, a more valuable property.

5 More sparingly should this praise be allowed to a government, where a man’s religious rights are violated by penalties, or fettered by tests, or taxed by a hierarchy. Conscience is the most sacred of all property; other property depending in part on positive law, the exercise of that, being a natural and unalienable right. To guard a man’s house as his castle, to pay public and enforce private debts with the most exact faith, can give no title to invade a man’s conscience which is more sacred than his castle, or to withhold from it that debt of protection, for which the public faith is pledged, by the very nature and original conditions
10 of the social pact.

That is not a just government, nor is property secure under it, where the property which a man has in his personal safety and personal liberty, is violated by arbitrary seizures of one class of citizens for the service of the rest. A magistrate issuing his warrants to a press gang, would be in his proper functions in Turkey or Indostan, under appellations proverbial of
15 the most complete despotism.

That is not a just government, nor is property secure under it, where arbitrary restrictions, exemptions, and monopolies deny to part of its citizens that free use of their faculties, and free choice of their occupations, which not only constitute their property in the general sense of the word; but are the means of acquiring property strictly so called. What must be
20 the spirit of legislation where a manufacturer of linen cloth is forbidden to bury his own child in a linen shroud, in order to favor his neighbour who manufactures woolen cloth; where the manufacturer and wearer of woolen cloth are again forbidden the economical use of buttons of that material, in favor of the manufacturer of buttons of other materials!

A just security to property is not afforded by that government, under which unequal taxes
25 oppress one species of property and reward another species: where arbitrary taxes invade the domestic sanctuaries of the rich, and excessive taxes grind the faces of the poor; where the keenness and competitions of want are deemed an insufficient spur to labor, and taxes

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are again applied, by an unfeeling policy, as another spur; in violation of that sacred property, which Heaven, in decreeing man to earn his bread by the sweat of his brow, kindly reserved to him, in the small repose that could be spared from the supply of his necessities.

5 If there be a government then which prides itself in maintaining the inviolability of property; which provides that none shall be taken directly even for public use without indemnification to the owner, and yet directly violates the property which individuals have in their opinions, their religion, their persons, and their faculties; nay more, which indirectly violates their property, in their actual possessions, in the labor that acquires their daily subsistence, and in the hallowed remnant of time which ought to relieve their fatigues and
10 soothe their cares, the influence will have been anticipated, that such a government is not a pattern for the United States.

If the United States mean to obtain or deserve the full praise due to wise and just governments, they will equally respect the rights of property, and the property in rights: they will rival the government that most sacredly guards the former; and by repelling its example in
15 violating the latter, will make themselves a pattern to that and all other governments.

COMMITTEE OF THE VIRGINIA ASSEMBLY

A Bill for the Support of the Poor

DRAFT BILL

June 18, 1779
Williamsburg, Virginia

BACKGROUND

As a representative in the Virginia Assembly, Thomas Jefferson drafted this bill that would provide some government support for poor Virginians.

GUIDING QUESTIONS

1. How will the government support the poor?
2. What is required of recipients in exchange for this support?

Thomas Jefferson, "A Bill for Support of the Poor," in *The Papers of Thomas Jefferson*, Vol. 2, 1777–18 June 1779, ed. Julian P. Boyd (Princeton: Princeton University Press, 1950), 419–24.

Be it enacted by the General Assembly, that the Aldermen of every county wherein such provision, as is herein after required for setting the poor of the county to work, shall not have been made, shall, so soon as conveniently may be, purchase the inheritance, or procure a lease, of one hundred acres of land, or any less quantity that is sufficient for the purpose intended, in the county, and thereon cause a house to be built, if a proper one be not there already, and kept in repair, and shall cause all persons in their county, who are maintained thereby, or who seek relief therefrom, to be put into such house, to be there maintained and employed in such work as they shall be able to perform; and may also, by their warrant, apprehend and send to the same place all persons found wandering and begging alms, in the county, other than seamen, who having been shipwrecked or discharged from vessels they had belonged to, and returning to their habitations, or going to some port to seek employment, and not loitering on the way thither, or abiding in port and offering to be employed, shall ask subsistence on their journey, or until any be willing to employ them, and shall put such beggar to work for any time not exceeding twenty days. And the said Aldermen shall hire some discreet man to oversee those who shall come or be put into such work-house, and shall, from time to time, ordain rules for his conduct, and for the government, employment, and correction of the persons subject to him, restraining him from correcting any of them with more stripes than ten, at one time, or for one offence. And in order to keep them at work shall provide wool, cotton, flax, hemp and other materials, with the tools and implements necessary for the manufacture thereof. And the said Aldermen shall meet together, at the court-house of their county, at some time between the second Tuesday in July and the first day of August in every year, and by taxation of the persons and property, in their county, according to the mode of assessment prescribed by the law which shall be then in force, for raising money for the public exigencies, shall raise competent sums of money for the necessary relief of such poor, lame, impotent, blind, and other inhabitants of the county as are not able to maintain themselves. And also for the putting out the poor children apprentices, as well as for defraying the expences of putting so much of this act in execution as relates to setting the poor to work and keeping them so employed; they shall moreover on or before the first day of August annually, make up in

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their minutes an exact account of the persons to, and for whom, such monies are to be paid, the purposes for which and the particular sums; a copy of which they shall, on or before the same day, deliver to the collector of the public tax, together with a list of the persons charge-
5 able with the poor rates, and the sums to be paid by each for his poor rate, and also a list of the debts due to them on behalf of their county: which collector shall give bond with re-
sponsible security for the discharge of his duty herein; and shall collect the said debts and poor rates in the same time, with the same powers, for the same commission, and subject to the same fines, forfeitures, and prosecutions as in the case of public taxes. The said col-
lector shall proceed, so soon as his collection shall have enabled him, to pay the several
10 sums as shall be specially directed in the account rendered him: and if he shall fail so to do, and also to settle his account with the Aldermen, on or before the first day of November following, it shall be lawful for the court of the county, on the motion of the said Aldermen, or of the person to whom any sum of money is directed to be paid, ten days previous notice of such motion having been given, to render judgment against such collector for the sum
15 and costs; or if it be for failure to account, then to render such judgment or judgments as are usual in actions on writs of account, and thereon to award execution, unless the sum shall not exceed twenty five shillings, in which case it shall be determinable before a Justice of the Peace, in like manner. And at such annual meeting, and at other times when they shall think proper, the said Aldermen shall cause the overseer of the poor to render account
20 of the persons under his care, the produce of their labor, and the disposition of such pro-
duce, and of all other things committed to his care, or belonging to his office, and apply the profits arising from their work towards defraying the expences of their maintenance. The Aldermen shall register in a book, to be provided at the expence of the county, and trans-
mitted to their successors, the names of all persons who receive relief from the county,
25 entering the times they were admitted, and stating the reasons of their admissions. When a person shall have resided twelve months in a county, without any intermediate change of habitation, such residence shall be deemed a settlement in that county, of such person, and those of his children who remain a part of his family. A bastard child shall be deemed a settled inhabitant of that county in which, at the birth, the mother was settled. Any person
30 acknowledged by the Aldermen of a county to be a settled inhabitant thereof, producing a

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certificate of such acknowledgement, signed by the said Aldermen, and delivering the certificate to the Aldermen of another county, wherein he shall not have such leasehold, or greater estate as is herein after mentioned, shall be adjudged to continue a settled inhabitant of the former county, which shall reimburse all expences incurred by the latter, for his
5 maintenance, or curing, or attempting to cure him of any disease he may labor under, to be recovered, in case of refusal to repay them, in an action on the case, brought by the Aldermen of one county against those of the other. A widow shall be adjudged a settled inhabitant of that county in which her husband shall have gained a settlement, although his death happen before she shall have resided there twelve months: But if he had no settlement any where, she shall be considered with respect to her settlement as if she were an
10 unmarried woman. A person holding any estate of freehold, in lands or possessing an estate, for one or more years, in lands, and coming to dwell in the county wherein such lands lie, shall have the same right to remain there as if he had been a settled inhabitant thereof. When a settled inhabitant of any county, or one who according to this act is deemed such,
15 shall leave it, and the Aldermen, or any two of them, in any other county, in which he shall come to dwell, or abide, if he have not therein such estate as aforesaid, or do not give security to indemnify the county, and shall be apprehensive he will become chargeable to their county, they may, by their warrant, cause such emigrant to be removed to the county whereof he was a settled inhabitant, and delivered to one of the Aldermen thereof; and if
20 he be unable to travel immediately, the Alderman who signed the warrant, shall, at the charge of their county, provide for his maintenance and cure, until he shall recover strength and health sufficient for the journey, the expence of which removal shall be reimbursed, and may be recovered in the same manner as those of the maintenance and cure are before directed to be. Any Alderman refusing to receive a settled parishioner, so removed, shall
25 be himself answerable for his maintenance and cure, in like manner as his county is declared to be. All able bodied persons not having wherewithal to maintain themselves, who shall waste their time in idle and dissolute courses, or shall loiter or wander abroad, refusing to work for reasonable wages, or to betake themselves to some honest and lawful calling, or who shall desert wives or children, without so providing for them as that they shall not
30 become chargeable to a county, shall be deemed vagabonds, and shall be sent, by order of

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an Alderman, to the poor house, there to be kept to labor during such time as shall be limited by the order, not exceeding thirty days; or if he be a settled inhabitant of another county, shall, by warrant of the said Alderman, be conveyed, by constable to constable, to some Alderman of such other county, who shall, by his order, send him to the proper poor house, to be there kept to labor as aforesaid; unless, in either of the cases, the vagabond shall give surety for his good behavior, and that he shall betake himself to some honest and lawful calling for twelve months; from which order the party thereby condemned may appeal to the county court, who, if the order be affirmed, shall award him to pay the costs. The assessors of the several hundreds, in every county, shall be aiding and assisting to their Aldermen, in the execution of this act, by giving information of such persons, within their respective hundreds, as ought to be supported by the county; and of these who shall come from any other county, where they had a settled residence, to dwell within their hundred, and be likely to become chargeable, by apprehending, and carrying before the said Aldermen, any person found wandering or begging within their hundred, or coming within the description of a vagabond before given; and by dispensing, according to the instructions of the said Aldermen, any reliefs which may, by them, be deposited with such assessors for the use of the poor of their hundred. The Aldermen of every county and their successors shall have power to call upon the former vestrymen of any parish which, or any part of which, is within their county, to render account of the expenditure of all money, or tobacco, by them received, and to pay into their hands any balance, or their due proportion of any balance, which may remain, to be applied to the lessening of the poor rates, and on failure may maintain proper actions in law, or equity, against them for enforcing the same.

LUCIUS CRASSUS (ALEXANDER HAMILTON)

The Examination Number VII

ARTICLE

January 7, 1802

New-York Evening Post | New York City, New York

BACKGROUND

Alexander Hamilton wrote this article examining President Thomas Jefferson's message to Congress at the beginning of his presidency.

GUIDING QUESTIONS

1. According to Hamilton, what are the several principles that ought to govern immigration?

Alexander Hamilton, "The Examination Number VII," 7 January 1802, in *The Papers of Alexander Hamilton*, Vol. 25, July 1800–April 1802, ed. Harold C. Syrett (New York: Columbia University Press, 1977), 491–95.

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The next exceptionable feature in the Message, is the proposal to abolish all restriction on naturalization, arising from a previous residence. In this the President is not more at variance with the concurrent maxims of all commentators on popular governments, than he is with himself. The Notes on Virginia are in direct contradiction to the Message, and furnish us with strong reasons against the policy now recommended. The passage alluded to is here presented: Speaking of the *population* of America, Mr. Jefferson there says, "Here I will beg leave to propose a doubt. The present desire of America, is to produce rapid population, by as great *importations of foreigners* as possible. *But is this founded in good policy?*" "Are there no inconveniences to be thrown into the scale, against the advantage expected from a multiplication of numbers, by the *importation of foreigners*? It is for the happiness of those united in society, to harmonize as much as possible, in matters which they must of necessity transact together. Civil government being the sole object of forming societies, its administration must be conducted by common consent. Every species of government has its specific principles: Ours, perhaps, are more peculiar than those of any other in the universe. *It is a composition of the freest principles of the English Constitution*, with others, derived from natural right and reason. To these, nothing can be more opposed than the maxims of absolute monarchies. Yet from such, we are to expect the *greatest number of emigrants*. *They will bring with them the principles of the governments they leave, imbibed in their early youth; or if able to throw them off, it will be in exchange for an unbounded licentiousness, passing as is usual, from one extreme to another. It would be a miracle were they to stop precisely at the point of temperate liberty. Their principles with their language, they will transmit to their children.* In proportion to their numbers, *they will share with us in the legislation*. They will infuse into it their spirit, warp and bias its direction, and render it a *heterogeneous, incoherent, distracted mass*. I may appeal to experience, during the present contest, for a verification of these conjectures: but if they be not certain in event, are they not possible, are they not probable? *Is it not safer to wait with patience for the attainment of any degree of population desired or expected?* May not our government be more homogeneous, *more peaceable, more durable?* Suppose 20 millions of republican Americans, thrown all of a sudden into France, what would be the condition of that kingdom? If it would be more turbulent, less happy, less strong, we may believe that the addition of half a

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million of foreigners, to our present numbers, would produce a similar effect here.” Thus wrote Mr. Jefferson in 1781....

5 ...The impolicy of admitting foreigners to an immediate and unreserved participation in the right of suffrage, or in the sovereignty of a Republic, is as much a received axiom as any thing in the science of politics, and is verified by the experience of all ages. Among other instances, it is known, that hardly any thing contributed more to the downfall of Rome, than her precipitate communication of the privileges of citizenship to the inhabitants of Italy at large. And how terribly was Syracuse scourged by perpetual seditions, when, after the overthrow of the tyrants, a great number of foreigners were suddenly admitted to the rights of citizenship? Not only does ancient but modern, and even domestic history furnish 10 evidence of what may be expected from the dispositions of foreigners, when they get too early footing in a country. Who wields the sceptre of France, and has erected a Despotism on the ruins of a Republic? A foreigner. Who rules the councils of our own ill-fated, unhappy country? And who stimulates persecution on the heads of its citizens, for daring to 15 maintain an opinion, and for exercising the rights of suffrage? *A foreigner!* Where is the virtuous pride that once distinguished Americans? Where the indignant spirit which in defence of principle, hazarded a revolution to attain that independence now *insidiously* attacked?

LUCIUS CRASSUS

ANONYMOUS (THOMAS JEFFERSON)*Notes on the State of Virginia*

BOOK EXCERPT

May 1785
Paris, France

BACKGROUND

Thomas Jefferson wrote *Notes on the State of Virginia* in response to questions posed to him by the Secretary of the French delegation to the United States.

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...But are there no inconveniences to be thrown into the scale against the advantage expected from a multiplication of numbers by the importation of foreigners? It is for the happiness of those united in society to harmonize as much as possible in matters which they must of necessity transact together. Civil government being the sole object of forming societies, its administration must be conducted by common consent. Every species of government has its specific principles. Ours perhaps are more peculiar than those of any other in the universe. It is a composition of the freest principles of the English constitution, with others derived from natural right and natural reason. To these nothing can be more opposed than the maxims of absolute monarchies. Yet, from such, we are to expect the greatest number of emigrants. They will bring with them the principles of the governments they leave, imbibed in their early youth; or, if able to throw them off, it will be in exchange for an unbounded licentiousness, passing, as is usual, from one extreme to another. It would be a miracle were they to stop precisely at the point of temperate liberty. These principles, with their language, they will transmit to their children. In proportion to their numbers, they will share with us the legislation. They will infuse into it their spirit, warp and bias its direction, and render it a heterogeneous, incoherent, distracted mass. I may appeal to ex-

Thomas Jefferson, *Notes on the State of Virginia*, ed. William Peden (Chapel Hill: University of North Carolina Press for the Institute of Early American History and Culture, Williamsburg, Virginia, 1954), 84-85.

Notes on the State of Virginia
Thomas Jefferson

perience, during the present contest, for a verification of these conjectures. But, if they be not certain in event, are they not possible, are they not probable? Is it not safer to wait with patience 27 years and three months longer, for the attainment of any degree of population desired, or expected? May not our government be more homogeneous, more peaceable, 5 more durable? Suppose 20 millions of republican Americans thrown all of a sudden into France, what would be the condition of that kingdom? If it would be more turbulent, less happy, less strong, we may believe that the addition of half a million of foreigners to our present numbers would produce a similar effect here. If they come of themselves, they are entitled to all the rights of citizenship: but I doubt the expediency of inviting them by ex- 10 traordinary encouragements....