

HUSH Summer Assignment

To what extent did the European Enlightenment influence republicanism in the United States in the years 1607-1805?

Document 1 – *Second Treatise on Government* by John Locke; 1689

Notes

- Written in 1689 after the Glorious Revolution
- The Glorious Revolution was the deposing of King James II and replacing him with William of Orange from the Netherlands; it was glorious because it was a bloodless coup
- For the first time, a people rejected the notion that God had ordained a king to be monarch and the people chose their ruler
- According to Locke, God gave people just enough intellect to live according to his laws and experience salvation
- Through reason mankind can discover God's moral law (same as natural law or the law of God)
- The First Treatise on Government attacked the idea of Divine Right; that God has chosen them to be kings since the time of Adam (creation)

Vocabulary

law of nature = rights given to us by God

dominion = control of territory or government

sovereignty = power to govern

liberty = freedom

licence = license

sovereign master = God

Second Treatise on Government by John Locke; 1689

To understand political power correctly and derive it from its proper source, we must consider what state all men are naturally in. In this state men are perfectly free to order their actions, and dispose of their possessions and themselves, in any way they like, without asking anyone's permission—subject only to limits set by the law of nature. It is also a state of equality, in which no-one has more power and authority than anyone else; because it is simply obvious that creatures of the same species and status, all born to all the same advantages of nature and to the use of the same abilities, should also be equal 'in other ways', with no-one being subjected to or subordinate to anyone else, unless 'God', the lord and master of them all, were to declare clearly and explicitly his wish that some one person be raised above the others and given an undoubted right to dominion and sovereignty... (Chapter 2.4)

But though this is a state of liberty, it isn't a state of licence 'in which there are no constraints on how people behave'. A man in that state is absolutely free to dispose of himself or his possessions, but he isn't at liberty to destroy himself, or even to destroy any created thing in his possession unless its destruction is required for some nobler purpose. The state of nature is governed by a law that creates obligations for everyone. And reason, which is that law, teaches anyone who takes the trouble to consult it, that because we are all equal and independent, no-one ought to harm anyone else in his life, health, liberty, or possessions. This is because we are all the work of one omnipotent and infinitely wise maker; we are all the servants of one sovereign master, sent into the world by his order to do his business; we are all the property of him who made us, and he made us to last as long as he chooses, not as long as we choose; •we have the same abilities, and share in one common nature, so there can't be any rank-

ordering that would authorize some of us to destroy others, as if we were made to be used by one another, as the lower kinds of creatures are made to be used by us (Chapter 2.6)

Comprehension Questions

- 1) What state are men (all people) in naturally?
- 2) What are men (all people) allowed to do in their natural state?
- 3) What does reason teach us?
- 4) Why are we not to harm life, health, liberty or possessions?

Document 2 - *The Spirit of the Laws* by Charles Louis Baron de Montesquieu 1748

Notes

- Montesquieu inherited his title Baron from his father
- He was born in France, but greatly admired the English parliamentary system of government and free speech that did not exist in France
- He worked on *The Spirit of Laws* for over a decade, which contained two volumes of thirty-one books and was over a thousand pages long!
- The first premise argued a republic was based on virtue of the people, the monarchy was based on the honor of the king and the despotism was based on fear
- The second premise was that a republic should have a separation of powers between the legislative, executive and judicial branches
- The third premise was that of political climate dictates the spirit of the society.

Vocabulary

law of nations = international law or foreign relations
civil law = laws between the people
virtue = good morals
magistrate = official or judge
latter = last
abrogates = repeal

executive = someone or government branch who enforces laws
tranquillity = tranquility
requisite = required to achieve something
public resolution = a law that everyone would know

The Spirit of the Laws by Charles Louis Baron de Montesquieu 1748

Book XI, Chapter 6 - Of the Constitution of England

In every government there are three sorts of power: the legislative; the executive in respect to things dependent on the law of nations; and the executive in regard to matters that depend on the civil law.

By virtue of the first, the prince or magistrate enacts temporary or perpetual laws, and amends or abrogates those that have been already enacted. By the second, he makes peace or war, sends or receives embassies, establishes the public security, and provides against invasions. By the third, he punishes criminals, or determines the disputes that arise between individuals. The latter we shall call the judiciary power, and the other simply the executive power of the state.

The political liberty of the subject is a tranquillity of mind arising from the opinion each person has of his safety. In order to have this liberty, it is requisite the government be so constituted as one man need not be afraid of another. When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner.

Again, there is no liberty, if the judiciary power be not separated from the legislative and executive. Were it joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator. Were it joined to the executive power, the judge might behave with violence and oppression.

There would be an end of everything, were the same man or the same body, whether of the nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals

Comprehension Questions

- 1) What three types of power are in every government?
- 2) How should power be distributed according to Montesquieu?

Document 3 - *The Social Contract* by Jean Jacques Rousseau; 1762

Notes

- Rousseau is often thought to mark the end of the European Enlightenment
- He was born in Geneva and raised a Calvinist
- He became a French philosophe who had rejected the secularism and returned to Calvinism in Geneva where he wrote the *Social Contract*
- Rousseau's political philosophy argued
 - ↳ Man is not a social being, but originally lived alone in a state of nature in which everyone is at war with each other for their own selfish interests – natural rights.
 - ↳ The first inequality is that everyone naturally has different strengthens, weaknesses, intelligence, etc.
 - ↳ The second inequality is created by society and government. Vices started when societies were formed (pride, jealousy, owning property, etc.). The rich are not any happier than the poor – everyone desires to have more.
 - ↳ Two types of social contracts – one created with unjust laws that support those who own property (nobility) and a second one created by laws developed by the people (republicanism)
 - ↳ Each individual has their own selfish desires or will; in a republican form of government each individual gives up their own desires for what is best for society (called the general will).
 - ↳ In a republic people exchange natural rights for civil rights; this is good because the collective group will enforce civil rights
 - ↳ Individuals who refuse to give into the general will only enslave themselves to their passions (state of nature) and work against the republic.
 - ↳ The social contract is just because the people created the laws for themselves, unfortunately most people are stupid (he agrees with Plato) and people need a leader(s).

Vocabulary

state of nature = when people lived alone in the wild fighting for survival
perish = die
preservation = protection
inessentials = not absolute necessary
corporate = group
indivisible = not able to separate
public person = the state or government

republic = a state ruled by the people
body politic = republic
will of all = everyone's corporate selfish desires
general will = what is best for the republic
legislate = enforce the laws
populace = the people living in a state

The Social Contract by Jean Jacques Rousseau; 1762

Book 1, Chapter 6 The Social Compact

Let us take it that men have reached the point at which the obstacles to their survival in the state of nature overpower each individual's resources for maintaining himself in that state. So this primitive condition can't go on; the human race will perish unless it changes its manner of existence...

Each man in giving himself to everyone gives himself to no-one; and the right over himself that the others get is matched by the right that he gets over each of them. So he gains as much as he loses, and also gains extra force for the preservation of what he has.

Filtering out the inessentials, we'll find that the social compact comes down to this: 'Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole.'...

This public person that is formed by the union of all the other persons used to be called a 'city', and these days is called a 'republic' or a 'body politic'...

Book 2, Chapter 3 Can the general will be wrong?

The will of all is very different from the general will; the latter looks only to the common interest, while the former looks to private interest and is no more than a sum of particular wills: but remove from these same wills the pluses and minuses that cancel one another and what is left of the particular wills adds up to the general will...

Book 2, Chapter 7 The law-maker

So he who draws up the laws doesn't or shouldn't have any right to legislate; and the populace can't deprive itself of this non-transferable right...

Comprehension Questions

- 1) What is the general will?
- 2) Should the "will of all" or the "general will" govern a republic? Why?

Document 4 - Common Sense, Thomas Paine, 1776

Notes

- Thomas Paine was a political philosopher who was born in England and moved to the colonies just before the American Revolution.
- In the American Revolution, American colonists rebelled against King George III of Britain and won independence.

- Paine's ideas were part of the Enlightenment, an 18th century philosophical and political movement that promoted reason and science.
- Paine believed that popular government (by the people) was better than absolute governments like monarchies (in which kings and queens had all the power).
- Our document is from Common Sense, which was widely read in 1776 and played a key role in creating support for independence.

Vocabulary

distinction: difference

subject: someone who is under the power of a ruler

exalted: respected

assert: to claim

fallacious: false

precedent: example for the future

roundly: enthusiastically

at variance with: in conflict with

doth: does

havoc: chaos

defective: broken or incomplete

Common Sense, Thomas Paine, 1776

But there is another and great distinction for which no truly natural or religious reason can be assigned, and that is the distinction of men into KINGS and SUBJECTS. Male and female are the distinctions of nature, good and bad the distinctions of Heaven; but how a race of men came into the world so exalted above the rest, and distinguished like some new species, is worth inquiring into, and whether they are the means of happiness or of misery to mankind...

I have heard it asserted by some, that as America has flourished under her former connection with Great Britain, the same connection is necessary towards her future happiness, and will always have the same effect. Nothing can be more fallacious than this kind of argument. We may as well assert that because a child has thrived upon milk, that it is never to have meat, or that the first twenty years of our lives is to become a precedent for the next twenty. But even this is admitting more than is true; for I answer roundly that America would have flourished as much, and probably much more, had no European power taken any notice of her. ...

I challenge the warmest advocate for reconciliation to show a single advantage that this continent can reap by being connected with Great Britain. I repeat the challenge; not a single advantage is derived. Our corn will fetch its price in any market in Europe, and our imported goods must be paid for buy them where we will.

But the injuries and disadvantages which we sustain by that connection, are without number; and our duty to mankind at large, as well as to ourselves, instruct us to renounce the alliance: because, any submission to, or dependence on, Great Britain, tends directly to involve this Continent in European wars and quarrels, and set us at variance with nations who would otherwise seek our friendship, and against whom we have neither anger nor complaint. ...

But where says some is the King of America? I'll tell you Friend, he reigns above, and doth not make havoc of mankind like the Royal Brute of Britain. Yet that we may not appear to be defective even in earthly honors, let a day be solemnly set apart for proclaiming the charter; let it be brought forth placed on the divine law, the word of God; let a crown be placed thereon, by which the world may know, that so far as we approve as monarchy, that in America THE LAW IS KING. For as in absolute governments the King is law, so in free countries the law *ought* to be King; and there ought to be no other.

Comprehension Questions

- 1) According to Paine, how is the difference between kings and subjects different from the difference between men and women?
- 2) In Paine's analogy about the child in paragraph two, what does milk symbolize and what does meat symbolize?
- 3) According to Paine, who should be king of America, God or the law? Cite evidence to back up your position.

Document 5 - Articles of Confederation, Articles I, II, III, VII and IX, 1777

Notes

- The Articles of Confederation, from which our document is taken, was an agreement the 13 colonies made during American Revolution, in which the United States gained independence from Britain.
- “Articles” are a legal document.
- “Confederation is when a group of states or nations join together.
- Patrick Henry advocated independence from Britain and later served as governor of Virginia.
- Henry supported the Articles of Confederation because it allowed states to work together to defeat the British without giving up too many rights to a federal government.
- The Articles of Confederation was eventually replaced by the Constitution we have today.

Vocabulary

these Presents: this document
delegate: representative
affixed: next to
perpetual: existing forever
stile: title
confederacy: group of states or nations working together
retain: to keep
sovereignty: control over itself
expressly: specifically
delegated: given
assembled: joined together
hereby: by signing below
severally: each

league: group
binding themselves: promising
offered to: threatened against
on account: because of
pretense: reason
whatever: at all
charges: costs
incurred: spent
defray: to pay for
treasury: pool of money
the several states: each state
lay: to set
levy: to collect

Articles of Confederation, Articles I, II, III, V, VII and IX, 1777

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting.

Articles of Confederation and perpetual Union between the states of New Hampshire, Massachusetts-bay Rhode Island and Providence Plantations, Connecticut, New York, New

Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

- I. The Stile of this Confederacy shall be "The United States of America".
- II. Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled.
- III. The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.
- V. For the more convenient management of the general interest of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress...
- VII. When land-forces are raised by any state for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively
- VIII. All charges of war, and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress assembled, *shall be defrayed out of a common treasury*, which shall be supplied by the several States in proportion to the value of all land within each State...
- IX. The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war... of sending and receiving ambassadors - entering into treaties and alliances,...

Comprehension Questions

- 1) Of the powers listed in the introduction, which did Congress also have?
- 2) Did Congress or the states have more power?
- 3) Do you think the fact that the American Revolution was going on made the states more or less willing to work together?

Document 6 - Federalist No 10, James Madison, 1787

Notes

- James Madison wrote most of the Constitution (he is called the Father of our Constitution) and was president from 1809 to 1817.
- The Constitution was written in 1787, and it came into effect in 1789 after the states ratified it.
- James Madison and two other founders, Alexander Hamilton and John Jay, wrote 85 essays – the Federalists Papers - under the pseudonym “Publius” to convince state to ratify the Constitution.
- Our Document is Federalist Paper #10, which discusses direct democracy and representative democracy.
- In direct (or pure) democracy, citizens vote on every law.
- In representative democracy, citizens elect representatives who then vote on the laws. This form of government is called a republic.

- The US is a representative democracy, or a republic, but some laws are passed by the direct democracy (ballot initiatives) at the state and local levels.

Vocabulary

faction: a group with strong views
 opposed to views of another group
actuated: motivated
adversed: opposed
aggregate: taken all together
turbulence: instability
contention: fighting
pure democracy: direct rule by the people

popular government: rule by the people, for instance, democracy
desideratum: desirable goal
opprobrium: bad reputation
inducement: temptation
republic: society with representative democracy
partial: biased

Federalist No 10, James Madison, 1787

AMONG the numerous advantages promised by a well constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction...

By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adversed to the rights of other citizens, or to the permanent and aggregate interests of the community...

To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great desideratum by which this form of government can be rescued from the opprobrium under which it has so long labored, and be recommended to the esteem and adoption of mankind.

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths.

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

The two great points of difference between a democracy and a republic are: first, the delegation of the government, in the latter, to a small number of citizens elected by the rest;

secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted.

Comprehension Questions

- 1) Put Madison's definition of *faction* into your own words.
- 2) According to Madison, what are two advantages of a republic over a direct democracy?

Document 7 - Constitution, Article I, Section 1 & 8; Article II, Section 1; Article III, Section 1 (1787); 10th Amendment (1791)

Notes

- James Madison is known as the "Architect of the Constitution" because of his leading role in writing it; he served as president from 1809 to 1817.
- Madison wanted to balance the power of the federal government and states so that neither had too much control.
- A group of 55 men gathered in Philadelphia in 1787 at the Constitutional Convention in order to revise the Articles of Confederation.
- It became clear that the Articles could not be revised, but needed to be scrapped and a fresh start was in order.
- The Constitution was ratified by all 13 states by 1790.
- Our document comes from the Article I of the Constitution, and from the 10th Amendment, which was added in 1791.

Vocabulary

<i>duties, imposts, and excises:</i> kinds of taxes	<i>appropriation:</i> when Congress takes
<i>uniform:</i> the same	money from the Treasury for a
<i>regulate:</i> to control	specific purpose
<i>naturalization:</i> process of becoming a	
citizen	<i>militia:</i> army
<i>coin:</i> to create money	<i>execute:</i> to enforce
<i>thereof:</i> that is part of	<i>suppress:</i> to put down
<i>coin:</i> money	<i>insurrection:</i> rebellion
<i>exclusive right:</i> patent	<i>repel:</i> to defend against
<i>tribunal:</i> court	<i>carry into execution:</i> to do
<i>inferior to:</i> less powerful than	<i>foregoing:</i> listed above
<i>Letters of Marque and Reprisal:</i> documents	<i>vested by:</i> given in
allowing the government to take	<i>several:</i> other
property of enemies	<i>delegate:</i> to give
	<i>prohibited:</i> taken away
	<i>reserved to:</i> kept for
	<i>respectively:</i> individually

Constitution, Article I, Section 1 & 8; Article II, Section 1; Article III, Section 1 (1787);
10th Amendment (1791)

Article 1, Section 1

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Article 1, Section. 8.

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;
To borrow Money on the credit of the United States;
To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;
To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;
To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;
To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;
To establish Post Offices and post Roads;
To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;
To constitute Tribunals inferior to the supreme Court;
To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;
To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;
To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;
To provide and maintain a Navy;
To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Article II, Section 1

The executive Power shall be vested in a President of the United States of America...

Article III, Section 1

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish...

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Comprehension Questions

- 1) One clause of Article I, Section 8 is called the “Elastic Clause” because it can be used to stretch the powers of Congress. Infer which clause it is and copy it.
- 2) Based on the 10th Amendment, who gets powers that are not mentioned in the Constitution (i.e., establishing a school system)?

Document 8 - First Inaugural Address, Thomas Jefferson, 1801

Notes

- Thomas Jefferson wrote most of the Declaration of Independence (he is called the Father of the Declaration of Independence), the Constitution and was president of the United States.
- He supported the idea of “limited government,” which means that the government should not have too much power over people’s lives.
- The document is from Jefferson’s inaugural address.
- Although Jefferson talked about “equal justice and exact justice for all men” he owned slaves and expressed racist views.
- Jefferson tried endlessly to end slavery in his native state of Virginia, but every time his attempts were thwarted and slave laws were made even stricter.
- If Jefferson had freed his slaves during his lifetime, they could have been hunted down and forced into slavery by a harsh master.
- If Jefferson had freed his slaves in his will, they again could have been hunted down and forced into slavery by a harsh master,
- It was also illegal for Jefferson to transport his slaves out of state and free them.

Vocabulary

frugal: not wasteful
regulate: to manage and have rules for
felicities: joys
comprehend: to include
deem: to believe
persuasion: belief
commerce: business
bulwark: defense
antirepublican: against the will of the people
sheet anchor: something one can rely on in an emergency; the term comes from sailing, the sheet being a sail, the anchor something to tie it to

jealous: careful
acquiescence: giving in to
despotism: political system in which a ruler has all the power
militia: an unofficial army
burthened: burdened
arraignment: holding someone accountable for a crime
handmaid: helper
diffusion: spread
habeas corpus: the right of people accused of a crime not to be imprisoned indefinitely without being charged or tried

First Inaugural Address, Thomas Jefferson, 1801

Still one thing more, fellow-citizens -- a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

About to enter, fellow-citizens, on the exercise of duties which comprehend everything dear and valuable to you, it is proper you should understand what I deem the essential principles of our Government... Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; the support of the State governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against antirepublican tendencies; the preservation of the General Government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad; a jealous care of the right of election by the people -- a mild and safe corrective of abuses which are lopped by the sword of revolution where peaceable remedies are unprovided; absolute acquiescence in the decisions of the majority, the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia, our best reliance in peace and for the first moments of war till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burthened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information and arraignment of all abuses at the bar of the public reason; freedom of religion; freedom of the press, and freedom of person under the protection of the *habeas corpus*, and trial by juries impartially selected.

Comprehension Questions

- 1) In the first paragraph, what does bread symbolize?
- 2) List ten things Jefferson says the government should do.
- 3) Would Jefferson approve of the following policies?

- a. Make an alliance of mutual defense with three other countries so that “an attack on one is an attack on all.”
- b. Tax wealthy citizens’ income and redistribute it to the poor.
- c. Enforce laws that keep every citizen safe.
- d. Presidents can overrule the decisions of state governments.
- e. Protect the rights of the people whose opinions are different from the majorities.