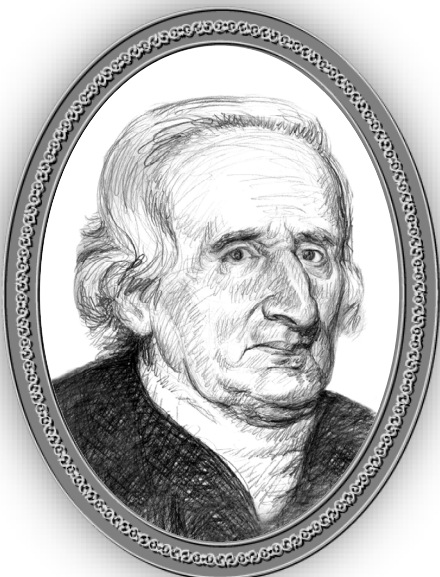


# CHARLES CARROLL OF CARROLLTON (1737–1832)



I do hereby recommend to the present and future generations the principles of that important document as the best earthly inheritance their ancestors could bequeath to them.

—Charles Carroll of Carrollton on the  
Declaration of Independence, 1826



## Introduction

Charles Carroll of Carrollton is primarily remembered today for his political leadership in Maryland during the Revolutionary era. A wealthy planter, Carroll became a major figure in the patriot movement in 1773 when he penned the First Citizen letters, attacking the governor's unilateral imposition of a fee as an unjust tax upon the people. A member of the Continental Congress, Carroll signed the Declaration of Independence. He also helped to write Maryland's Constitution of 1776. After American independence was achieved, he served in the United States Senate and the Maryland legislature.

Carroll's role as a champion of religious liberty is less well known. Like many American Catholics at the time, he favored the separation of church and state and the free exercise of religion, at least for Christians. These principles were a logical consequence of the minority status of Catholics in Maryland and the nation. In nearly every American colony, Catholics suffered legal disabilities of some kind. Catholics in Maryland, for example, were denied the vote and the right to hold office. In his First Citizen letters, Carroll defended his right—and by extension, the right of his co-religionists—to participate in public affairs. He successfully fought to have religious liberty for all Christians, including Catholics, guaranteed by the Maryland Constitution of 1776.

In his later years, Carroll became famous among his countrymen as the last surviving signer of the Declaration of Independence. By the time of his death in 1832, American independence was assured, but the battle for tolerance in the United States for Catholics and other religious minorities was unfinished.

## Relevant Thematic Essay for Charles Carroll

- Freedom of Religion

# *In His Own Words:*

## CHARLES CARROLL OF CARROLLTON ON RELIGIOUS LIBERTY

### Overview

In this lesson, students will learn about Charles Carroll. They should first read as background homework **Handout A—Charles Carroll (1737–1832)** and answer the **Reading Comprehension Questions**. After discussing the answers to these questions in class, the teacher should have the students answer the **Critical Thinking Questions** as a class. Next, the teacher should introduce the students to the primary source activity, **Handout C—In His Own Words: Charles Carroll on Religious Liberty**, in which Carroll defends his right as a Catholic to participate in public affairs. As a preface, there is **Handout B—Vocabulary and Context Questions**, which will help the students understand the document.

There are **Follow-Up Homework Options** that ask the students to consider whether a group's religious beliefs can pose a threat to a free society. **Extensions** provides opportunity for thought as students are asked to research the extent of religious tolerance in the earliest state constitutions, the history of religious liberty in their own state, or the extent of religious freedom in another country.

### Objectives

Students will:

- appreciate Carroll's role as a leader of the American opposition to British tyranny
- explain Carroll's objections to the governor's fee proclamation
- understand the reasons for Carroll's championing of religious tolerance
- analyze what Carroll stood to gain and lose by supporting American independence

### Standards

CCE (9–12): IIA1, IIC1, IIIA1, IIIA2  
NCHS (5–12): Era III, Standards 3A, 3B  
NCSS: Strands 2, 5, 6, and 10

### Materials

#### Student Handouts

- Handout A—Charles Carroll (1737–1832)
- Handout B—Vocabulary and Context Questions
- Handout C—In His Own Words: Charles Carroll on Religious Liberty

#### Additional Teacher Resource

- Answer Key

### Recommended Time

One 45-minute class period.  
Additional time as needed for homework.

# LESSON PLAN



## I. Background Homework

Ask students to read **Handout A—Charles Carroll of Carrollton (1737–1832)** and answer the Reading Comprehension Questions.



## II. Warm-Up [10 minutes]

- Review answers to homework questions.
- Conduct a whole-class discussion to answer the Critical Thinking Questions.
- Ask a student to summarize the historical significance of Charles Carroll.

*Charles Carroll was a wealthy Maryland planter and a leader of the Revolution. He became famous in the colony in 1773 when he wrote the First Citizen letters. In these essays, Carroll criticized as illegal a fee that the governor had imposed on the people. He also defended his right as a Catholic to participate in public life in Maryland. As a member of the Continental Congress in 1776, Carroll signed the Declaration of Independence, the only Catholic to do so. In that same year, he helped write a new constitution for Maryland, successfully including as part of that document a clause that guaranteed religious liberty for Christians. After the Revolutionary War, Carroll served in the Maryland legislature and United States Senate. He was the last signer of the Declaration to die.*



## III. Context [5 minutes]

- Be sure that the students understand that there was one united Christian Church (called “Catholic,” meaning “universal”) until the Protestant Reformation of the sixteenth century. At that time, the Christian Church began to splinter. The term “Protestant” refers in a general way to all non-Catholic Christians (those who “protested” against the Church). The term “Catholic” refers to individuals who remained loyal to the Pope in Rome.
- Discrimination against Catholics was a long-standing policy in post-Reformation England. Prior to American independence in 1776, most colonies discriminated in some way against Catholics, usually by the denial of the right to vote and hold office. Many of the state constitutions written after independence guaranteed Christians full political rights, though some states, such as Massachusetts and North Carolina, continued to deny Catholics certain rights and privileges until well into the nineteenth century.



## IV. In His Own Words [25 minutes]

- Distribute **Handout B—Vocabulary and Context Questions**. Be sure that the students understand the vocabulary and the “who, what, where, and when” of the document.
- Explain to the class that in eighteenth-century America, newspapers were often read publicly to crowds on the street—much as people gather around televisions in stores today when a major news event occurs. Tell the students that they are about to listen to the excerpts from the Antilon-First Citizen letters read by members of the class.
- Choose two students who are good speakers. Distribute **Handout C—In His Own Words: Charles Carroll on Religious Liberty** to these students. Assign one of the students the task of representing Daniel Dulany (Antilon) and the other the role of Charles Carroll (the First Citizen). Allow these students a few minutes to review their assigned parts.

## LESSON PLAN

- D. As the speakers prepare, pair up the remaining students. Tell them that each pair will listen carefully to the dialogue between Dulany and Carroll and then compose a one-paragraph summary of the exchange.
- E. Have the two speakers stand in front of the class and read the dialogue.
- F. When the speakers are finished, have the pairs of students write their paragraphs. Then have the pairs exchange their paragraphs, so that each pair has the work of another group. Give the groups a minute or two to read the paragraphs they now have.
- G. Have the speakers read the dialogue again. Each pair should now check to see if the paragraph they are reading summarizes well the exchange between Carroll and Dulany.
- H. Ask the student-listeners to read the paragraph they have in front of them, if they believe it is a good summary of the dialogue.



### V. Wrap-Up Discussion [5 minutes]

Ask the students to consider how Marylanders of Carroll's day might have reacted to his dialogue with Dulany.

*Answers will vary.*



### VI. Follow-Up Homework Options

Students could compose a short essay (three to five paragraphs) in which they consider the following questions:

- A. When, if ever, can a group's religious beliefs pose a threat to a free society?
- B. Should limits be placed on the freedom to practice religion in order to protect society?



### VII. Extensions

- A. Students could research the history of religious liberty in their state.
- B. Students could research the extent of religious liberty currently allowed in other countries.
- C. Using the links below, students could research the extent of religious tolerance found in the earliest state constitutions, most of which were written at the time of the American Revolution. (Note that the present-day constitutions of Massachusetts and Rhode Island date to 1776 and 1843, respectively, though both have been amended.)

<<http://www.yale.edu/lawweb/avalon/states/stateco.htm>>

<<http://www.state.ma.us/legis/const.htm>>

<[http://www.rilin.state.ri.us/gen\\_assembly/RiConstitution/riconst.html](http://www.rilin.state.ri.us/gen_assembly/RiConstitution/riconst.html)>



# LESSON PLAN

## Resources

### Print

- Hanley, Thomas O'Brien. *Charles Carroll of Carrollton: The Making of a Revolutionary Gentleman*. Chicago: Loyola University Press, 1982.
- Hanley, Thomas O'Brien. *Revolutionary Statesman: Charles Carroll and the War*. Chicago: Loyola University Press, 1983.
- Hoffman, Ronald. *Dear Papa, Dear Charley: The Peregrinations of a Revolutionary Aristocrat, as Told by Charles Carroll of Carrollton and His Father, Charles Carroll of Annapolis*. Chapel Hill: University of North Carolina Press, 2000.
- Hoffman, Ronald. *Princes of Ireland, Planters of Maryland: A Carroll Saga, 1500–1782*. Chapel Hill: University of North Carolina Press, 2000.
- Onuf, Peter S., ed. *Maryland and the Empire, 1773: The Antillon-First Citizen Letters*. Baltimore: Johns Hopkins University Press, 1974.

### Internet

- The Carroll House. National Park Service. <[http://www.nps.gov/history/history/online\\_books/declaration/site11.htm](http://www.nps.gov/history/history/online_books/declaration/site11.htm)>.
- The Charles Carroll House of Annapolis. Historic Annapolis Foundation. <<http://www.charlescarrollhouse.com/>>.
- “Charles Carroll of Carrollton.” New Advent Catholic Encyclopedia. <<http://www.newadvent.org/cathen/03379c.htm>>.
- “Charles Carroll of Carrollton, 1737–1832.” Biographical Directory of the United States Congress. <<http://bioguide.congress.gov/scripts/biodisplay.pl?index=C000185>>.
- “Charles Carroll of Carrollton.” Signers of the Declaration of Independence. USHistory.org. <<http://www.ushistory.org/declaration/signers/carroll.htm>>.

### Selected Works by Charles Carroll

- *First Citizen Letters* (1773)
- *Address on the Fiftieth Anniversary of the Declaration of Independence* (1826)

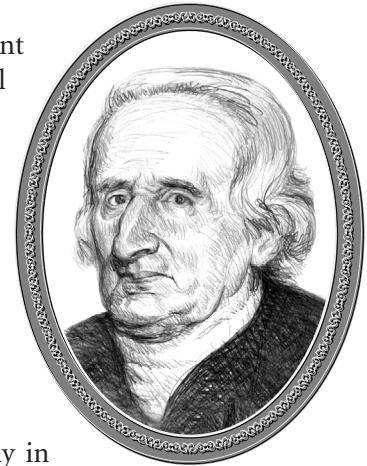
# CHARLES CARROLL OF CARROLLTON (1737–1832)

Government was instituted for the general good, but officers entrusted with its powers, have most commonly perverted them to the selfish views of avarice and ambition.

—Charles Carroll, 1773



The boisterous patrons of the small Maryland tavern fell suddenly silent as the small, well-dressed man appeared in the entrance. Charles Carroll of Carrollton paused as the gazes of so many fell upon him. Suddenly, one man called out, “There is the First Citizen!” The crowd rose as one to its feet and burst into applause. Carroll politely doffed his hat and bowed slightly in return. Carroll had been using the pen name “First Citizen” in a series of newspaper essays defending the liberties of Marylanders against the colonial government. By this spring of 1773, the prosperous plantation owner had indeed become the first among equals in the eyes of his fellow Marylanders.



## Background

Charles Carroll was born on September 19, 1737, to a Catholic family in Annapolis, Maryland. His grandfather had moved there from Great Britain to escape religious persecution. Charles’ father owned hundreds of slaves and prospered as a tobacco planter. He expected young Charles to take over the family business once he had proved himself “a worthy heir.” Charles was sent to London and Paris, where he received an extensive Catholic education. When he returned to Maryland in 1765, he helped his father manage a forty-thousand-acre estate on which two hundred eighty-five slaves toiled.

As a Catholic, Carroll knew that he was at a disadvantage in America. When his grandfather came to Maryland, the governing family, the Baltimores, practiced religious tolerance. However, Maryland became a royal colony in 1691 and, therefore, subject to English law. The Church of England became the official church, and Catholics felt the consequences. They could not practice law or vote. They were prohibited from serving in government. They were also forced to pay taxes to the Anglican Church. Despite these severe restrictions, Carroll remained in his homeland.

## The Revolutionary

The year 1772 marked the beginning of Carroll’s twenty-eight-year role as revolutionary spokesman and civil servant. He became involved in politics when the governor of Maryland fixed government officials’ public service fees at a high rate. At the time, citizens had to pay officials directly for certain public services. The proceeds from these fees were used to pay the officials’ salaries. Daniel Dulany, a high-ranking Maryland official, defended the governor’s act in a series of articles published in the *Maryland Gazette*. Carroll quickly responded.

Writing under the name “First Citizen,” Carroll argued that the fees were taxes. He contended that only the Maryland Assembly, not the governor, had the right to levy taxes. “In a land of freedom,” Carroll argued, “this arbitrary [unpredictable] exertion of prerogative [power] will not, must not, be endured.” The identity of the First Citizen soon became known to all. Dulany responded with both argument and personal attack. He questioned Carroll’s right as a Catholic to become involved in public affairs. Carroll defended the right of Catholics to speak out on political issues.

Carroll believed that the restrictions placed on Catholics in Maryland were motivated by a desire for power on the part of the Protestant majority. Religious belief was merely an excuse to deny political influence to men like Carroll. “Designing and selfish men,” Carroll complained in the year following his First Citizen letters, “invented religious tests to exclude from posts of profit and trust their weaker or more conscientious fellow subjects, thus to secure to themselves all the emoluments [benefits] of Government.”

The battle on paper between a powerful government official and a Catholic landowner captivated the reading public. As First Citizen, Carroll earned a reputation for intelligence and character. Soon he was elected to serve on local committees that supported revolutionary ideals.

In October 1774, Carroll was again in the spotlight. The local merchant ship *Peggy Stewart* had arrived in Annapolis with a shipment of goods, including tea leaves. With Lexington and Concord only six months away, times were tense. The English monopoly on tea and oppressive British trade policies had driven most merchants to sign a nonimportation agreement in protest. When the colonists learned of the shipment, they were outraged. They threatened the lives of the owner and crew.

The vessel’s owner called upon the influential Carroll for advice. It was immediately clear to Carroll that an apology or exportation of the tea would not satisfy the crowd. He offered a drastic solution: burn the tea along with the entire ship. Doubtful but desperate, the owner agreed. Crisis was averted.

## Diplomacy and the Declaration

As the colonies plunged deeper into conflict with the British, Carroll worked tirelessly for independence. The citizens of Maryland elected him to serve on the first Committee of Safety in Annapolis. He also served in the Provincial Congress in 1775. The following year, he was chosen to represent Maryland in the Continental Congress.

The Congress chose Carroll, along with Benjamin Franklin and Samuel Chase, to serve on a mission to gain Canada’s support for the Revolution. Carroll was picked because he spoke French and was Catholic, like many Canadians. Though the delegation returned home empty-handed, Carroll became recognized as an important player in the national political arena.

In the spring of 1776, Carroll returned home and learned that Congress would soon vote on a resolution to separate from Great Britain. He also found out that the Maryland delegates in Congress had been instructed by the colonial assembly to oppose independence.

Carroll immediately returned to Annapolis to argue the merits of independence. He reminded the delegates of England’s tyranny. After much debate, the Maryland legislature joined in support of separation. In July, Carroll returned to the Continental Congress. Though he missed the vote for independence on July 4, he “most willingly” signed the Declaration of Independence on August 2. Carroll was the only Catholic to put his name to that document.

It was reported that after Carroll signed his name, a spectator commented, “There go a few millions.” If Britain won the war, Carroll would certainly lose his family estate and perhaps even his life. Victory, however, could bring both political and religious liberty. Like all who supported the Revolution, Carroll was willing to sacrifice everything he had for independence and liberty.

### In Service to State and Nation

During the American Revolution, Carroll immersed himself in public duties. In 1776, he was elected to the Maryland Convention, the body that governed the state during the war. The convention appointed Carroll to the committee responsible for creating a state constitution. Carroll succeeded in enshrining religious liberty in the Declaration of Rights attached to the document. The final version of the Declaration asserted that “all persons professing the Christian religion are equally entitled to protection in their religious liberty.” Catholics thereby became equal citizens under Maryland law, having earned the right to vote and hold office.

After independence, Carroll continued to serve in the Maryland legislature. Following the adoption of the new Constitution in 1789, Carroll also served as a United States senator. In 1792, however, Maryland disallowed simultaneous service in both the national and state legislatures. Carroll therefore resigned from the national legislature in order to continue serving his state. He retired from the Maryland Senate in 1800.

### Retirement

Even in retirement, Carroll continued to make public appearances. On July 4, 1826, the fiftieth anniversary of the signing of the Declaration of Independence, Carroll composed a short address to honor the occasion. “I do hereby recommend,” he announced, “to the present and future generations the principles of that important document as the best earthly inheritance their ancestors could bequeath to them.”

Carroll’s stature grew in his later years; he became famous among his countrymen as the last surviving signer of the Declaration of Independence. On November 14, 1832, at the age of ninety-five, Carroll died, quietly closing a chapter on the Founding generation.



### Reading Comprehension Questions

1. What two topics did Carroll address in his First Citizen letters?
2. What did Carroll think was the reason that Catholics were denied rights in Maryland?
3. Why did Carroll become even more famous during the last few years of his life?

### Critical Thinking Questions

4. What did Charles Carroll stand to lose by supporting the American Revolution? What did he stand to gain?
5. Imagine that you are Charles Carroll in 1832. Compose a one-paragraph newspaper article in which you reflect on the changes in Maryland between 1765 and 1832.



# VOCABULARY AND CONTEXT QUESTIONS

## Excerpts from the Antillon-First Citizen Letters

1. **Vocabulary:** *Use context clues to determine the meaning or significance of each of these words and write their definitions:*
  - a. disabled/disabilities
  - b. resolve
  - c. speculative
  - d. approbation
  - e. papist
  - f. knaves
  - g. sects/denominations
  - h. malice
  - i. basest
2. **Context:** *Answer the following questions.*
  - a. When were these documents written?
  - b. Where were these documents written?
  - c. Who wrote these documents?
  - d. What type of document are these?
  - e. What were the purposes of these documents?
  - f. Who was the audience for these documents?

# IN HIS OWN WORDS: CHARLES CARROLL OF CARROLLTON ON RELIGIOUS LIBERTY

## Excerpts from the Antilon-First Citizen Letters

*Between January 7 and July 1, 1773, Charles Carroll and Daniel Dulany, a Maryland government official, conducted a debate in the form of a series of letters published in Maryland newspapers. At issue was the governor's proclamation setting government officials' public service fees at a high rate. Dulany defended the governor's act in a series of articles published in the Maryland Gazette. Dulany called himself "Antilon," which combines "anti" ("against") and an old English word meaning "unfair taxes."*

*Charles Carroll quickly responded. Writing under the name "First Citizen," Carroll argued that the fees were taxes. He contended that only the Maryland Assembly, not the governor, had the right to levy taxes. Dulany replied with both argument and personal attack. He questioned Carroll's right as a Catholic to become involved in public affairs.*

*Below are excerpts from the third and fourth letters written by Dulany and Carroll.*

### Antilon's Third Letter

Who is he [Carroll]? He has no share in the legislature, as a member of any branch; he is incapable of being a member; he is disabled from giving a vote in the choice of representatives, by the laws and constitution of the country, on account of his principles, which are distrusted by those laws. He is disabled by an express resolve from interfering in the election of members, on the same account. He is not a protestant.

### First Citizen's Third Letter

What my speculative notions of religion may be, this is neither the place, nor time to declare; my political principles ought only to be questioned on the present occasion; surely they are constitutional, and have met, I hope, with the approbation of my countrymen.

### Antilon's Fourth Letter

We are . . . put upon our guard by our laws, and constitution, which have laid him under disabilities, because he is a papist, and his religious principles are suspected to have so great influence, as to make it unsafe to permit his interference, in any degree, when the interests of the established religion, or the civil government, may be concerned.

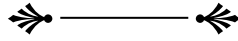
### First Citizen's Fourth Letter

I am as averse to having a religion crammed down people's throats, as proclamation. There are my political principles, in which I glory. . . . Knaves, and bigots of all sects and denominations I hate, and I despise. . . . [Catholics] cannot . . . enjoy any place of profit, or trust, while they continue papists; but do these disabilities extend so far, as to preclude them from thinking and writing on matters merely of a political nature? . . .

He will not allow me freedom of thought or speech. . . . That you have talents admirably well adapted to the works of darkness, malice to attempt the blackest, and meanness to stoop to the basest, is too true.

**Source:** From Peter S. Onuf, ed., *Maryland and the Empire, 1773: The Antilon-First Citizen Letters* (Baltimore: Johns Hopkins University Press, 1974), 122, 125–126, 188, 226–227.

# FREEDOM OF RELIGION



A sound understanding of the United States requires an appreciation of the historical commitment of the American people to certain fundamental liberties. High on the list of these liberties is freedom of religion. The image of brave seventeenth-century English Puritans making the difficult journey across the Atlantic to American shores in pursuit of the freedom to live according to their faith is a powerful part of the American myth. Less remembered, however, is the fact that the commonwealth established by the Puritans was as intolerant as Anglican England, from which they had fled. Indeed, the road to achieving full religious liberty in the United States was long and arduous. By the time of the writing of the United States Constitution in 1787, Americans were committed to the principle of religious tolerance (or, to use the term of the time, “toleration”) and the idea of separation of church and state, but only to a limited degree. It would be another five decades before all states granted broad religious liberty to their citizens and provided for the complete separation of church and state.

Modern ideas about freedom of religion were developed in the wake of the Protestant Reformation of the sixteenth century, which shattered the unity of Christendom and plunged Europe into political and religious conflict. Though some European states remained religiously homogeneous, either retaining the traditional faith of Roman Catholicism or adopting some brand of Protestantism, religious division within many countries led to discord and bloodshed. In England, the church established in the mid-sixteenth century by King Henry VIII (who reigned from 1509 to 1547) faced stiff resistance, first from the many Catholics who refused to abandon the faith of their ancestors, and then from the Puritans who opposed the rule of bishops and wanted to purify the church so that it included only the elect.

Henry VIII’s successors, Elizabeth I (1558–1603) and James I (1603–1625), successfully quelled opposition to the Church of England (the Anglican

Church), largely through harsh persecution of dissenters. In 1642, however, England was engulfed by religious civil war, from which the Puritans emerged victorious. The Puritan Commonwealth established by Oliver Cromwell ruthlessly persecuted Anglicans and Catholics. But Puritan rule was short-lived. An Anglican monarch, Charles II, was restored to the throne in 1660.

This “settlement” of the religious crisis, however, was threatened by the accession of a Catholic, James II, to the throne in 1685. Anxious Protestants conspired and invited a foreigner, William of Orange, to assume the kingship of England. William invaded England, drove James into exile, assumed the throne, and reestablished the Church of England as the national church.

In this contentious atmosphere some English political thinkers, such as John Locke, began to advocate a policy of religious

toleration. Locke’s ideas reflected a key assumption of Enlightenment thought—that religious belief, like political theory, is a matter of opinion, not absolute truth. “The business of laws,” Locke wrote in his *Letter on Toleration* (1689), “is not to provide for the truth of opinions, but for the safety and security of the commonwealth and of every particular man’s goods and person.” Public security was in no way dependent on a uniformity of religious belief among the citizenry. “If a Jew do not believe the New Testament to be the Word of God,” Locke stated, “he does not thereby alter anything in men’s civil rights.” Rather, intolerance led to “discord and war,” and Locke warned that “no peace and security” could be “preserved amongst men so long as this opinion prevails . . . that religion is to be propagated by force of arms.” Religious belief, in Locke’s view, was a matter of individual choice, a matter for society, not for government.

Locke’s views on religious liberty had a profound influence on American thinking in the next century. Other writings, however, particularly the Bible, had at least as great an impact on American political theory. Indeed, the American experiment in religious toleration began years before the publication of



Locke's treatise, though the early history of Puritan Massachusetts Bay was hardly indicative of the course that toleration would take in America. Established by John Winthrop in 1630, Massachusetts was a repressive place where church and state were one and where religious dissent was ruthlessly stamped out. Dissenters had few options: they could be silent, suffer persecution, or leave the colony. Roger Williams, a freethinking preacher, was forced to choose this last option, leaving Massachusetts in 1636 to establish the colony of Rhode Island.

In Rhode Island, Williams instituted toleration for all people, and his new colony quickly became a refuge for persecuted groups like Quakers and Baptists. Williams's case for toleration was at least as radical as Locke's. Basing his arguments on the Bible, Williams insisted that the Jews, Muslims, and atheists were also deserving of religious liberty. The only "sword" to be used in fighting their opinions was scripture itself. Intolerance was an offense to God. "An enforced uniformity of religion throughout a nation or civil state," Williams wrote in *The Bloudy Tenent of Persecution* (1644), "denies the principles of Christianity." Williams argued that forced belief was not only a violation of God's law but also an unwise policy. "Enforced uniformity (sooner or later) is the greatest occasion of civil war, ravishing of conscience, persecution of Christ Jesus in his servants, and of the hypocrisy and destruction of millions of souls."

Two years before the founding of Rhode Island, Cecil Calvert founded the colony of Maryland and proclaimed toleration for all Christians. Calvert himself was a Catholic, but he knew that the viability of his colony depended on luring enough Protestant settlers to make it an economic success. A policy of toleration, he hoped, would serve this purpose. In setting up Pennsylvania in the 1680s, William Penn, a Quaker, followed a similar course, making his colony a haven not only for his fellow coreligionists, but, like Rhode Island, a refuge for people of all religious sects.

Pennsylvania and Rhode Island would preserve uninterrupted their traditions of religious liberty, but in Maryland, freedom of religion would be curtailed for Catholics once Protestants came to power in the last decade of the seventeenth century. Still, the idea that some degree of religious liberty was a healthful policy for government became

firmly rooted in America by the eighteenth century. Americans learned from the example of seventeenth-century England that religious persecution was ultimately detrimental to the political, social, and economic welfare of the nation. In America, where the Christian sects were more numerous than in England, the repercussions of religious intolerance would be especially adverse to the nation's prospects. Americans' devotion to religious freedom, then, was a product of necessity and experience as well as reason.

The crisis of empire during the 1760s and 1770s served to strengthen the American commitment to religious liberty. It was not only the intrusive economic measures passed by Parliament during these years that alarmed Americans. Patriot leaders also warned of the danger of the Anglican

*Locke warned that "no peace and security" could be "preserved amongst men so long as this opinion prevails . . . that religion is to be propagated by force of arms."*

Church's interference in American religious affairs. There was much talk that the British government would install a bishop in America who would become the instrument of tyranny. This idea that political and religious liberty went hand in hand was reflected in the New York Constitution of 1776, which explicitly connected "civil tyranny" with "spiritual oppression and intolerance."

Nearly all the state constitutions written during the American independence movement reflected a commitment to some degree of religious liberty. The Massachusetts Constitution of 1780 promised that "no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience." The Virginia Declaration of Rights of 1776, authored by George Mason, proclaimed "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." Mason's ideas mirrored Locke's belief that government should not intrude upon the concerns of society.

But many states limited religious liberty to Christians in general, or to Protestants in particular. The North Carolina Constitution of 1776 decreed "That no person, who shall deny the being of God or the truth of the Protestant religion . . . shall be capable of holding any office or place of trust or profit in the civil department within this State." Similarly, the New Jersey Constitution of the same year declared that "there

shall be no establishment of any one religious sect in this Province, in preference to another,” but promised Protestants alone full civil rights. Thanks largely to the efforts of Charles Carroll of Carrollton, a Roman Catholic, Maryland’s Revolutionary Constitution was more liberal in its guarantee of religious liberty to “all persons, professing the Christian religion.”

The Protestant majority in America was indeed particularly concerned about the Catholic minority in its midst. Catholics constituted the largest non-Protestant creed in the country, and it was believed that Catholicism demanded loyalty to the pope above devotion to country. The connection between Catholicism and absolutism was deeply ingrained in the American Protestant mind and was a legacy of the Reformation, which Protestants saw as a period of liberation from the ignorance, superstition, and tyranny of the Roman Catholic Church. During the crisis with England, a wave of religious hysteria swept over American Protestants, who worried that the pope would personally lead the Catholics of Canada in a military assault on American forces. “Much more is to be dreaded from the growth of Popery in America,” patriot leader Samuel Adams asserted in 1768, “than from Stamp-Acts or any other acts destructive of men’s civil rights.” This bigotry caused Roman Catholics to become outspoken proponents of religious toleration and the separation of church and state. In a country dominated by Protestants, this was the only realistic course for them.

All thirteen states at the time of American independence, then, acknowledged to some degree in their constitutions the principle of religious liberty. Most also provided for some degree of separation of church and state. Several states went so far as to prohibit clergymen from holding state office, a restriction in the Georgia Constitution of 1777 that the Reverend John Witherspoon of New Jersey would famously protest. But few states provided for a complete separation of church and state, for it was believed that the government should give some support to religion in general. Though a substantial number of American elites in the late eighteenth century were not church-going Christians, nearly all believed in the God of the Old Testament, and all recognized the practical value of Christianity as a check on antisocial behavior. Many of the state constitutions written

in the era of independence, therefore, required that government give some support to Christianity. Though the Massachusetts Constitution guaranteed that “no subordination of any one sect or denomination to another shall ever be established by law,” it also permitted the legislature to levy taxes “for the support and maintenance of public protestant teachers of piety, religion and morality.” Similarly, the Maryland Constitution of 1776 permitted the legislature to “lay a general and equal tax for the support of the Christian religion.”

There were, however, calls for complete religious disestablishment at the state level. In Virginia, James Madison and Thomas Jefferson were two of the most prominent advocates of a

*Thomas Jefferson asserted that the First Amendment created “a wall of separation between church and state.” What Jefferson meant by this term is a subject of great debate.*

strict separation of church and state. Their ideas about religious liberty were clearly influenced by John Locke and fellow Virginian George Mason. In 1785, the Virginia legislature considered a bill that would provide for public funding of Christian

instruction. The measure was backed by several prominent statesmen, including Patrick Henry. But James Madison, then a member of the legislature, took the lead in opposing the bill, reminding Virginians that “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.” The bill was defeated, and the following year, Jefferson introduced “A Bill for Establishing Religious Freedom,” which attempted to enshrine in law the idea “that no man shall be compelled to frequent or support any religious Worship place or Ministry whatsoever.” The bill passed with minor changes.

By the time of the Constitutional Convention of 1787, there was a broad consensus regarding the proper relationship between the national government and religion: first, that the government ought not to give support to any religious sect; second, that the government ought not to require a religious test for office; third, that the government ought not to interfere with private religious practice; and fourth, that the government ought not to interfere with the right of the states to do as they wished in regard to religious establishment and religious liberty. These points of consensus were reflected in both the body of the United States Constitution and in the First Amendment, which was ratified in 1791 as part of the Bill of Rights. Article VI of the Constitution explicitly stated that



“no religious test shall ever be required as a qualification to any office or public trust under the United States.” The First Amendment declared that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.”

The right of the states to set their own policy in regard to religion was implicitly acknowledged in Article I of the Constitution, which stipulated that to be eligible to vote in elections for the United States House of Representatives, “the elector in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.” Several states at the time mandated a religious test as a requirement for the franchise, and the Constitution therefore tacitly approved such tests. In addition, the First Amendment’s prohibition against religious establishment applied explicitly to the national Congress alone. Indeed, it was not until after the American Civil War, in the incorporation cases, that the United States Supreme Court ruled that some of the restrictions placed on the federal government by the amendments also applied to the state governments.

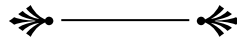
By 1800, then, there was a broad consensus among Americans that religious freedom was essential to political liberty and the well-being of the nation. During the next two centuries, the definition of freedom of religion would be broadened, as states abandoned religious tests and achieved complete disestablishment and as state and federal courts ruled that various subtle forms of government encouragement of religion were unconstitutional. Shortly after the dawn of the nineteenth century, in a letter to a Baptist congregation in Danbury, Connecticut, Thomas Jefferson asserted that the First Amendment created “a wall of separation between church and state.” What Jefferson meant by this term is a subject of great debate. But there is no doubt that his words have become part of the American political creed and a rallying cry for those who seek to expand the definition of religious liberty, even to mean that religion should be removed from public life altogether.

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# INTRODUCTORY ESSAY: EXPLAINING THE FOUNDING



In 1760, what was to become the United States of America consisted of a small group of colonies strung out along the eastern seaboard of North America. Although they had experienced significant economic and demographic growth in the eighteenth century and had just helped Britain defeat France and take control of most of North America, they remained politically and economically dependent upon London. Yet, in the next twenty-five years, they would challenge the political control of Britain, declare independence, wage a bloody war, and lay the foundations for a trans-continental, federal republican state. In these crucial years, the colonies would be led by a new generation of politicians, men who combined practical political skills with a firm grasp of political ideas. In order to better understand these extraordinary events, the Founders who made them possible, and the new Constitution that they created, it is necessary first to understand the political ideas that influenced colonial Americans in the crucial years before the Revolution.



## THE COMMON LAW AND THE RIGHTS OF ENGLISHMEN

The political theory of the American colonists in the seventeenth and eighteenth centuries was deeply influenced by English common law and its idea of rights. In a guide for religious dissenters written in the late seventeenth century, William Penn, the founder of Pennsylvania, offered one the best contemporary summaries of this common-law view of rights. According to Penn, all Englishmen had three central rights or privileges by common law: those of life, liberty, and property. For Penn, these English rights meant that every subject was “to be freed in Person & Estate from Arbitrary Violence and Oppression.” In the widely used language of the day, these rights of “Liberty and Property” were an Englishman’s “Birthright.”

In Penn’s view, the English system of government preserved liberty and limited arbitrary power by allowing the subjects to express their *consent* to the laws that bound them through two institutions:

“Parliaments and Juries.” “By the first,” Penn argued, “the subject has a share by his chosen Representatives in the Legislative (or Law making) Power.” Penn felt that the granting of consent through Parliament was important because it ensured that “no new Laws bind the People of England, but such as are by common consent agreed on in that great Council.”

In Penn’s view, juries were an equally important means of limiting arbitrary power. By serving on juries, Penn argued, every freeman “has a share in the *Executive* part of the Law, no Causes being tried, nor

any man adjudged to loose [*sic*] Life, member or Estate, but upon the *Verdict* of his Peers or Equals.” For Penn, “These two grand Pillars of English Liberty” were “the *Fundamental vital Privileges* [*sic*]” of Englishmen.

The other aspect of their government that seventeenth-century Englishmen celebrated was a system that was ruled by laws and not by men. As Penn rather colorfully put it: “In France, and other Nations, the meer [*sic*] Will of the Prince is Law, his Word takes off any mans Head, imposeth Taxes, or seizes a mans Estate, when, how and as often as he lists; and if one be accused [*sic*], or but so much as suspected of any Crime, he may either presently Execute him, or banish, or Imprison him at pleasure.” By contrast, “*In England*,” Penn argued, “the Law is both the measure and the bound of every Subject’s Duty and Allegiance, each man having a fixed Fundamental-Right born with him, as to Freedom of his Person and Property in his Estate, which he cannot be deprived of, but either by his Consent, or some Crime, for which the Law has impos’d such a penalty or forfeiture.”

This common law view of politics understood political power as fundamentally *limited* by Englishmen’s rights and privileges. As a result, it held that English kings were bound to rule according to known laws and by respecting the inherent rights of their subjects. It also enshrined the concept of consent as the major means to the end of protecting these rights. According to Penn and his contemporaries, this system of government—protecting as it did the “unparallel’d

Privilege [*sic*] of Liberty and Property”—had made the English nation “more free and happy than any other People in the World.”

The Founders imbibed this view of English rights through the legal training that was common for elites in the eighteenth-century Anglo-American world. This legal education also made them aware of the history of England in the seventeenth century, a time when the Stuart kings had repeatedly threatened their subjects’ rights. In response, many Englishmen drew on the common law to argue that all political power, even that of a monarch, should be limited by law. Colonial Americans in the eighteenth century viewed the defeat of the Stuarts and the subsequent triumph of Parliament (which was seen as the representative of subjects’ rights) in the Glorious Revolution of 1688 as a key moment in English history. They believed that it had enshrined in England’s unwritten constitution the rule of law and the sanctity of subjects’ rights. This awareness of English history instilled in the Founders a strong fear of arbitrary power and a consequent desire to create a constitutional form of government that limited the possibility of rulers violating the fundamental liberties of the people.

The seriousness with which the colonists took these ideas can be seen in their strong opposition to Parliament’s attempt to tax or legislate for them without their consent in the 1760s and 1770s. After the Revolution, when the colonists formed their own governments, they wrote constitutions that included many of the legal guarantees that Englishmen had fought for in the seventeenth century as a means of limiting governmental power. As a consequence, both the state and federal constitutions typically contained bills of rights that enshrined core English legal rights as fundamental law.

## NATURAL RIGHTS

The seventeenth century witnessed a revolution in European political thought, one that was to prove profoundly influential on the political ideas of the American Founders. Beginning with the Dutch writer Hugo Grotius in the early 1600s, several important European thinkers began to construct a new understanding of political theory that argued that all men by *nature* had equal rights, and that governments were formed for the sole purpose of protecting these natural rights.

The leading proponent of this theory in the English-speaking world was John Locke (1632–1704). Deeply involved in the opposition to the Stuart kings in the 1670s and 1680s, Locke wrote a book on political theory to justify armed resistance to Charles II and his brother James. “To understand political power right,” Locke wrote, “and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.” For Locke, the state of nature was “a state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another.”

Although this pregovernmental state of nature was a state of perfect freedom, Locke contended that it also lacked an impartial judge or umpire to regulate disputes among

men. As a result, men in this state of nature gathered together and consented to create a government in order that their natural rights would be better secured. Locke further argued that, because it was the people who had created the government, the people had a right to resist its authority if it violated their rights. They could then join together and exercise their collective or popular sovereignty to create a new government of their own devising. This revolutionary political theory meant that ultimate political authority belonged to the people and not to the king.

This idea of natural rights became a central component of political theory in the American colonies in the eighteenth century, appearing in numerous political pamphlets, newspapers, and sermons. Its emphasis on individual freedom and government by consent combined powerfully with the older idea of common law rights to shape the political theory of the Founders. When faced with the claims of the British Parliament in the 1760s and 1770s to legislate for them without their consent, American patriots invoked both the common law and Lockean natural rights theory to argue that they had a right to resist Britain.

Thomas Jefferson offers the best example of the impact that these political ideas had on the founding. As he so eloquently argued in the Declaration of Independence: “We hold these

*The political theory of the American colonists in the seventeenth and eighteenth centuries was deeply influenced by English common law and its idea of rights.*

truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from 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 abolish it, and to institute new Government, laying its foundations on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.”

This idea of natural rights also influenced the course of political events in the crucial years after 1776. All the state governments put this new political theory into practice, basing their authority on the people, and establishing written constitutions that protected natural rights. As George Mason, the principal author of the influential Virginia Bill of Rights (1776), stated in the document’s first section: “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.” The radical implications of this insistence on equal natural rights would slowly become apparent in postrevolutionary American society as previously downtrodden groups began to invoke these ideals to challenge slavery, argue for a wider franchise, end female legal inequality, and fully separate church and state.

In 1780, under the influence of John Adams, Massachusetts created a mechanism by which the people themselves could exercise their sovereign power to constitute governments: a special convention convened solely for the purpose of writing a constitution, followed by a process of ratification. This American innovation allowed the ideas of philosophers like Locke to be put into practice. In particular, it made the people’s natural rights secure by enshrining them in a constitution which was not changeable by ordinary legislation. This method was to influence the authors of the new federal Constitution in 1787.

## RELIGIOUS TOLERATION AND THE SEPARATION OF CHURCH AND STATE

A related development in seventeenth-century European political theory was the emergence of arguments for religious toleration and the separation of church and state. As a result of the bloody religious wars between Catholics and Protestants that followed the Reformation, a few thinkers in both England and Europe argued that governments should not attempt to force individuals to conform to one form of worship. Rather, they insisted that such coercion was both unjust and dangerous. It was unjust because true faith required voluntary belief; it was dangerous because the attempts to enforce religious beliefs in Europe

had led not to religious uniformity, but to civil war. These thinkers further argued that if governments ceased to enforce religious belief, the result would be civil peace and prosperity.

Once again the English philosopher John Locke

played a major role in the development of these new ideas. Building on the work of earlier writers, Locke published in 1689 *A Letter Concerning Toleration*, in which he contended that there was a natural right of conscience that no government could infringe. As he put it: “The care of Souls cannot belong to the Civil Magistrate, because his Power consists only in outward force; but true and saving Religion consists in the inward perswasion [*sic*] of the Mind, without which nothing can be acceptable to God. And such is the nature of the Understanding, that it cannot be compell’d to the belief of any thing by outward force. Confiscation of Estate, Imprisonment, Torments, nothing of that nature can have any such Efficacy as to make Men change the inward Judgment that they have formed of things.”

These ideas about the rights of conscience and religious toleration resonated powerfully in the English colonies in America. Although the Puritans in the seventeenth century had originally attempted to set up an intolerant commonwealth where unorthodox religious belief would be prohibited, dissenters like Roger Williams challenged them and argued that true faith could not be the product of coercion. Forced to flee by the Puritans, Williams established the colony of Rhode Island, which offered religious toleration to all and had no state-supported church. As the Puritan Cotton Mather sarcastically remarked,

*Natural rights became a central component of political theory in the American colonies . . . , appearing in numerous political pamphlets, newspapers, and sermons.*



Rhode Island contained “everything in the world but Roman Catholics and real Christians.” In addition, Maryland, founded in the 1630s, and Pennsylvania, founded in the 1680s, both provided an extraordinary degree of religious freedom by the standard of the time.

In the eighteenth century, as these arguments for religious toleration spread throughout the English-speaking Protestant world, the American colonies, becoming ever more religiously pluralistic, proved particularly receptive to them. As a result, the idea that the government should not enforce religious belief had become an important element of American political theory by the late eighteenth century. After the Revolution, it was enshrined as a formal right in many of the state constitutions, as well as most famously in the First Amendment to the federal Constitution.

*By reading the classics, the American Founders were introduced to an alternate political vision, one that legitimated republicanism.*

### COLONIAL SELF-GOVERNMENT

The political thinking of the Founders in the late eighteenth century was also deeply influenced by the long experience of colonial self-government. Since their founding in the early seventeenth century, most of the English colonies in the Americas (unlike the French and Spanish colonies) had governed themselves to a large extent in local assemblies that were modeled on the English Parliament. In these colonial assemblies they exercised their English common law right to consent to all laws that bound them.

The existence of these strong local governments in each colony also explains in part the speed with which the Founders were able to create viable independent republican governments in the years after 1776. This long-standing practice of self-government also helped to create an indigenous political class in the American colonies with the requisite experience for the difficult task of nation building.

In addition to the various charters and royal instructions that governed the English colonies, Americans also wrote their own Founding documents. These settler covenants were an early type of written constitution and they provided an important model for the Founders in the late eighteenth century as they sought to craft a new constitutional system based on popular consent.

### CLASSICAL REPUBLICANISM

Not all the intellectual influences on the Founders originated in the seventeenth century. Because many of the Founders received a classical education in colonial colleges in the eighteenth century, they were heavily influenced by the writings of the great political thinkers and historians of ancient Greece and Rome.

Antiquity shaped the Founders’ political thought in several important ways. First, it introduced them to the idea of republicanism, or government by the people. Ancient political thinkers from Aristotle to Cicero had praised republican self-government as the best political system. This classical political thought was important for the Founders as it gave them grounds to dissent from the heavily monarchical political culture of eighteenth-century England, where even the common law jurists who

defended subjects’ rights against royal power believed strongly in monarchy. By reading the classics, the American Founders were introduced to an alternate political vision, one that legitimized republicanism.

The second legacy of this classical idea of republicanism was the emphasis that it put on the moral foundations of liberty. Though ancient writers believed that a republic was the best form of government, they were intensely aware of its fragility. In particular, they argued that because the people governed themselves, republics required for their very survival a high degree of civic virtue in their citizenry. Citizens had to be able to put the good of the whole (the *res publica*) ahead of their own private interests. If they failed to do this, the republic would fall prey to men of power and ambition, and liberty would ultimately be lost.

As a result of this need for an exceptionally virtuous citizenry, ancient writers also taught that republics had to be small. Only in a small and relatively homogeneous society, they argued, would the necessary degree of civic virtue be forthcoming. In part, it was this classical teaching about the weakness of large republics that animated the contentious debate over the proposed federal Constitution in the 1780s.

In addition to their reading of ancient authors, the Founders also encountered republican ideas in



the political theory of a group of eighteenth-century English writers called the “radical Whigs.” These writers kept alive the republican legacy of the English Civil War at a time when most Englishmen believed that their constitutional monarchy was the best form of government in the world. Crucially for the Founding, these radical Whigs combined classical republican thought with the newer Lockean ideas of natural rights and popular sovereignty. They thus became an important conduit for a modern type of republicanism to enter American political thought, one that combined the ancient concern with a virtuous citizenry and the modern insistence on the importance of individual rights.

These radical Whigs also provided the Founders with an important critique of the eighteenth-century British constitution. Instead of seeing it as the best form of government possible, the radical Whigs argued that it was both corrupt

and tyrannical. In order to reform it, they called for a written constitution and a formal separation of the executive branch from the legislature. This classically inspired radical Whig constitutionalism was an important influence on the development of American republicanism in the late eighteenth century.

### CONCLUSION

Drawing on all these intellectual traditions, the Founders were able to create a new kind of republicanism in America based on equal rights, consent, popular sovereignty, and the separation of church and state. Having set this broad context for the Founding, we now turn to a more detailed examination of important aspects of the Founders’ political theory, followed by detailed biographical studies of the Founders themselves.

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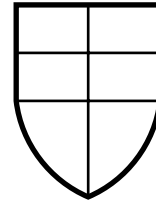
### Suggestions for Further Reading

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- Lutz, Donald. *Colonial Origins of the American Constitution: A Documentary History*. Indianapolis, Ind.: Liberty Fund, 1998.
- Reid, John Phillip. *The Constitutional History of the American Revolution*. Abridged Edition. Madison: The University of Wisconsin Press, 1995.
- Rossiter, Clinton. *Seedtime of the Republic: The Origins of the American Tradition of Political Liberty*. New York: Harcourt Brace, 1953.
- Zuckert, Michael. *Natural Rights and the New Republicanism*. Princeton, N.J.: Princeton University Press, 1994.

## ADDITIONAL CLASSROOM ACTIVITIES

### Visual Assessment

1. **Founders Posters**—Have students create posters for either an individual Founder, a group of Founders, or an event. Ask them to include at least one quotation (different from classroom posters that accompany this volume) and one image.
2. **Coat of Arms**—Draw a coat of arms template and divide into 6 quadrants (see example). Photocopy and hand out to the class. Ask them to create a coat of arms for a particular Founder with a different criterion for each quadrant (e.g., occupation, key contribution, etc.). Include in the assignment an explanation sheet in which they describe why they chose certain colors, images, and symbols.
3. **Individual Illustrated Timeline**—Ask each student to create a visual timeline of at least ten key points in the life of a particular Founder. In class, put the students in groups and have them discuss the intersections and juxtapositions in each of their timelines.
4. **Full Class Illustrated Timeline**—Along a full classroom wall, tape poster paper in one long line. Draw in a middle line and years (i.e., 1760, 1770, 1780, etc.). Put students in pairs and assign each pair one Founder. Ask them to put together ten key points in the life of the Founder. Have each pair draw in the key points on the master timeline.
5. **Political Cartoon**—Provide students with examples of good political cartoons, contemporary or historical. A good resource for finding historical cartoons on the Web is <[http://www.boondocksnet.com/gallery/political\\_cartoons.html](http://www.boondocksnet.com/gallery/political_cartoons.html)>. Ask them to create a political cartoon based on an event or idea in the Founding period.



### Performance Assessments

1. **Meeting of the Minds**—Divide the class into five groups and assign a Founder to each group. Ask the group to discuss the Founder's views on a variety of pre-determined topics. Then, have a representative from each group come to the front of the classroom and role-play as the Founder, dialoguing with Founders from other groups. The teacher will act as moderator, reading aloud topic questions (based on the pre-determined topics given to the groups) and encouraging discussion from the students in character. At the teacher's discretion, questioning can be opened up to the class as a whole. For advanced students, do not provide a list of topics—ask them to know their character well enough to present him properly on all topics.
2. **Create a Song or Rap**—Individually or in groups, have students create a song or rap about a Founder based on a familiar song, incorporating at least five key events or ideas of the Founder in their project. Have students perform their song in class. (Optional: Ask the students to bring in a recording of the song for background music.)

### Web/Technology Assessments

1. **Founders PowerPoint Presentation**—Divide students into groups. Have each group create a PowerPoint presentation about a Founder or event. Determine the number of slides, and assign a theme to each slide (e.g., basic biographic information, major contributions, political philosophy, quotations, repercussions of the event, participants in the event, etc.). Have them hand out copies of the slides and give the presentation to the class. You may also ask for a copy of the

presentation to give you the opportunity to combine all the presentations into an end-of-semester review.

2. **Evaluate Web sites**—Have students search the Web for three sites related to a Founder or the Founding period (you may provide them with a “start list” from the resource list at the end of each lesson). Create a Web site evaluation sheet that includes such questions as: Are the facts on this site correct in comparison to other sites? What sources does this site draw on to produce its information? Who are the main contributors to this site? When was the site last updated? Ask students to grade the site according to the evaluation sheet and give it a grade for reliability, accuracy, etc. They should write a 2–3 sentence explanation for their grade.
3. **Web Quest**—Choose a Web site(s) on the Constitution, Founders, or Founding period. (See suggestions below.) Go to the Web site(s) and create a list of questions taken from various pages within the site. Provide students with the Web address and list of questions, and ask them to find answers to the questions on the site, documenting on which page they found their answer. Web site suggestions:
  - The Avalon Project <<http://www.yale.edu/lawweb/avalon/avalon.htm>>
  - The Founders’ Constitution <<http://press-pubs.uchicago.edu/founders/>>
  - Founding.com <<http://www.founding.com/>>
  - National Archives Charters of Freedom <[http://www.archives.gov/national\\_archives\\_experience/charters.html](http://www.archives.gov/national_archives_experience/charters.html)>
  - The Library of Congress American Memory Page <<http://memory.loc.gov/>>
  - Our Documents <<http://www.ourdocuments.gov/>>
  - Teaching American History <<http://www.teachingamericanhistory.org/>>

A good site to help you construct the Web Quest is: <<http://trackstar.hprtec.org>>

### Verbal Assessments

1. **Contingency in History**—In a one-to-two page essay, have students answer the question, “How would history have been different if [Founder] had not been born?” They should consider repercussions for later events in the political world.
2. **Letters Between Founders**—Ask students to each choose a “Correspondence Partner” and decide which two Founders they will be representing. Have them read the appropriate Founders essays and primary source activities. Over a period of time, the pair should then write at least three letters back and forth (with a copy being given to the teacher for review and feedback). Instruct them to be mindful of their Founders’ tone and writing style, life experience, and political views in constructing the letters.
3. **Categorize the Founders**—Create five categories for the Founders (e.g., slaveholders vs. non-slaveholders, northern vs. southern, opponents of the Constitution vs. proponents of the Constitution, etc.) and a list of Founders studied. Ask students to place each Founder in the appropriate category. For advanced students, ask them to create the five categories in addition to categorizing the Founders.
4. **Obituaries and Gravestones**—Have students write a short obituary or gravestone engraving that captures the major accomplishments of a Founder (e.g., Thomas Jefferson’s gravestone). Ask them to consider for what the Founder wished to be remembered.
5. **“I Am” Poem**—Instruct students to select a Founder and write a poem that refers to specific historical events in his life (number of lines at the teacher’s discretion).

## ADDITIONAL CLASSROOM ACTIVITIES

Each line of the poem must begin with “I” (i.e., “I am...,” “I wonder...,” “I see...” etc.). Have them present their poem with an illustration of the Founder.

6. **Founder’s Journal**—Have students construct a journal of a Founder at a certain period in time. Ask them to pick out at least five important days. In the journal entry, make sure they include the major events of the day, the Founder’s feelings about the events, and any other pertinent facts (e.g., when writing a journal about the winter at Valley Forge, Washington may have included information about the troops’ morale, supplies, etc.).
7. **Résumé for a Founder**—Ask students to create a resume for a particular Founder. Make sure they include standard resume information (e.g., work experience, education, skills, accomplishments/honors, etc.). You can also have them research and bring in a writing sample (primary source) to accompany the resume.
8. **Cast of Characters**—Choose an event in the Founding Period (e.g., the signing of the Declaration of Independence, the debate about the Constitution in a state ratifying convention, etc.) and make a list of individuals related to the incident. Tell students that they are working for a major film studio in Hollywood that has decided to make a movie about this event. They have been hired to cast actors for each part. Have students fill in your list of individuals with actors/actresses (past or present) with an explanation of why that particular actor/actress was chosen for the role. (Ask the students to focus on personality traits, previous roles, etc.)

### Review Activities

1. **Founders Jeopardy**—Create a Jeopardy board on an overhead sheet or handout (six columns and five rows). Label the column heads with categories and fill in all other squares with a dollar amount. Make a sheet that corresponds to the Jeopardy board with the answers that you will be revealing to the class. (Be sure to include Daily Doubles.)
  - a. Possible categories may include:
    - Thomas Jefferson (or the name of any Founder)
    - Revolutionary Quirks (fun Founders facts)
    - Potpourri (miscellaneous)
    - Pen is Mightier (writings of the Founders)
  - b. Example answers:
    - This Founder drafted and introduced the first formal proposal for a permanent union of the thirteen colonies. *Question: Who is Benjamin Franklin?*
    - This Founder was the only Roman Catholic to sign the Declaration of Independence. *Question: Who is Charles Carroll?*
2. **Who Am I?**—For homework, give each student a different Founder essay. Ask each student to compile a list of five-to-ten facts about his/her Founder. In class, ask individuals to come to the front of the classroom and read off the facts one at a time, prompting the rest of the class to guess the appropriate Founder.
3. **Around the World**—Develop a list of questions about the Founders and plot a “travel route” around the classroom in preparation for this game. Ask one student to volunteer to go first. The student will get up from his/her desk and “travel” along the route plotted to an adjacent student’s desk, standing next to it. Read a question aloud, and the first student of the two to answer correctly advances to the next stop on the travel route. Have the students keep track of how many places they advance. Whoever advances the furthest wins.

## AN EIGHTEENTH-CENTURY GLOSSARY

**Common Good:** General conditions that are equally to everyone's advantage. In a **republic**, held to be superior to the good of the individual, though its attainment ought never to violate the **natural rights** of any individual.

**Democracy:** From the Greek, *demos*, meaning "rule of the people." Had a negative connotation among most Founders, who equated the term with mob rule. The Founders considered it to be a form of government into which poorly-governed **republics** degenerated.

**English Rights:** Considered by Americans to be part of their inheritance as Englishmen; included such rights as property, petition, and trials by jury. Believed to exist from time immemorial and recognized by various English charters as the Magna Carta, the Petition of Right of 1628, and the English Bill of Rights of 1689.

**Equality:** Believed to be the condition of all people, who possessed an equality of rights. In practical matters, restricted largely to land-owning white men during the Founding Era, but the principle worked to undermine ideas of deference among classes.

**Faction:** A small group that seeks to benefit its members at the expense of the **common good**. The Founders discouraged the formation of factions, which they equated with political parties.

**Federalism:** A political system in which power is divided between two levels of government, each supreme in its own sphere. Intended to avoid the concentration of power in the central government and to preserve the power of local government.

**Government:** Political power fundamentally limited by citizens' rights and privileges. This limiting was accomplished by written charters or constitutions and bills of rights.

**Happiness:** The ultimate end of government. Attained by living in **liberty** and by practicing **virtue**.

**Inalienable Rights:** Rights that can never justly be taken away.

**Independence:** The condition of living in **liberty** without being subject to the unjust rule of another.

**Liberty:** To live in the enjoyment of one's rights without dependence upon anyone else. Its enjoyment led to **happiness**.

**Natural Rights:** Rights individuals possess by virtue of their humanity. Were thought to be "**inalienable**." Protected by written constitutions and bills of rights that restrained government.

**Property:** Referred not only to material possessions, but also to the ownership of one's body and rights. Jealously guarded by Americans as the foundation of liberty during the crisis with Britain.



**Reason:** Human intellectual capacity and rationality. Believed by the Founders to be the defining characteristic of humans, and the means by which they could understand the world and improve their lives.

**Religious Toleration:** The indulgence shown to one religion while maintaining a privileged position for another. In pluralistic America, religious uniformity could not be enforced so religious toleration became the norm.

**Representation:** Believed to be central to republican government and the preservation of **liberty**. Citizens, entitled to vote, elect officials who are responsible to them, and who govern according to the law.

**Republic:** From the Latin, *res publica*, meaning “the public things.” A government system in which power resides in the people who elect representatives responsible to them and who govern according to the law. A form of government dedicated to promoting the **common good**. Based on the people, but distinct from a **democracy**.

**Separation of Church and State:** The doctrine that government should not enforce religious belief. Part of the concept of **religious toleration** and freedom of conscience.

**Separation of Powers/Checks and Balances:** A way to restrain the power of government by balancing the interests of one section of government against the competing interests of another section. A key component of the federal Constitution. A means of slowing down the operation of government, so it did not possess too much energy and thus endanger the rights of the people.

**Slavery:** Referred both to chattel slavery and political slavery. Politically, the fate that befell those who did not guard their rights against governments. Socially and economically, an institution that challenged the belief of the Founders in **natural rights**.

**Taxes:** Considered in English tradition to be the free gift of the people to the government. Americans refused to pay them without their consent, which meant actual **representation** in Parliament.

**Tyranny:** The condition in which **liberty** is lost and one is governed by the arbitrary will of another. Related to the idea of political **slavery**.

**Virtue:** The animating principle of a **republic** and the quality essential for a republic’s survival. From the Latin, *vir*, meaning “man.” Referred to the display of such “manly” traits as courage and self-sacrifice for the **common good**.

## ANSWER KEY

### CHARLES CARROLL

#### Handout A—Charles Carroll (1737–1832)

1. Carroll denied the governor's right to impose the fee scale for public officials. He also defended the right of Catholics to participate in public affairs.
2. Carroll believed that the Protestant majority simply wanted to exclude Catholics from positions of power. Religious belief was merely an excuse to deny political influence to men like Carroll.
3. He became the last surviving signer of the Declaration of Independence.
4. If Britain won the war, Carroll would certainly lose his family estate and perhaps even his life. Victory, however, could bring both political and religious liberty.
5. Answers will vary. Students should mention that Catholics in this period had earned the right to vote and hold office and practice their religion openly. America had also established its independence.

#### Handout B—Vocabulary and Context Questions

1. Vocabulary
  - a. prohibited/disqualifications
  - b. declaration, law, or rule
  - c. theoretical
  - d. approval
  - e. Roman Catholic
  - f. people of bad character
  - g. religious groups
  - h. desire to cause pain
  - i. lowest
2. Context
  - a. The documents were written in 1773.
  - b. The documents were written in Maryland.
  - c. Charles Carroll and Daniel Dulany wrote the documents.
  - d. The documents are a series of newspaper essays.

- e. Carroll's purpose was to convince the people of Maryland about the illegality of the fees imposed by the governor and about his right as a Catholic to comment on public affairs. Dulany's purpose is to question the right of Carroll in particular, and, by implication, Catholics in general, to engage in political debate. Dulany's other purpose is to defend the legality of the governor's proclamation setting officials' fees.
- f. The audience for these documents was the people of Maryland.

#### Handout C—In His Own Words: Charles Carroll on Religious Liberty

Answers will vary, but these are the main points of the dialogue between Dulany and Carroll:

##### Antilon's Third Letter

Dulany argues that Carroll should not be allowed to comment on public affairs because he is a Catholic, and that the law rightly prohibits Carroll from voting and holding office because Catholic beliefs pose a danger to society.

##### First Citizen's Third Letter

Carroll argues that his religious views should not be the issue, as they have nothing to do with his political beliefs.

##### Antilon's Fourth Letter

Dulany again points out that Maryland law rightly bars Carroll and all Catholics from interfering in political and religious affairs. (The "established religion" is Protestantism.)

##### First Citizen's Fourth Letter

Carroll expresses his devotion to the idea of religious tolerance. He argues that, though a Catholic, he should be allowed to comment on public affairs. Carroll accuses Dulany of trying to deny him freedom of thought and speech and of having evil purposes.