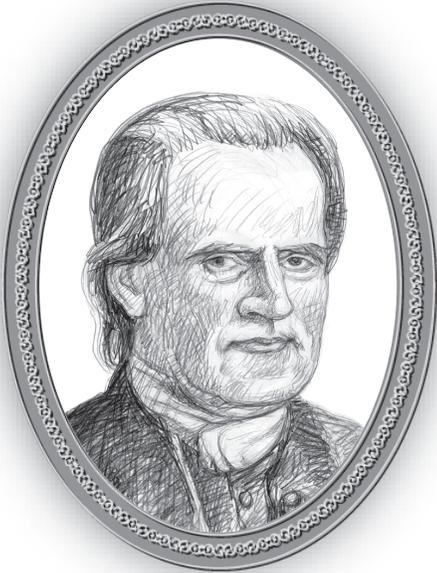


# ROGER SHERMAN

(1721–1793)



Government is instituted for those who live under it.

—Roger Sherman, 1787



## Introduction

Although not the most charismatic or eloquent Founder, Roger Sherman was highly esteemed by his contemporaries. At Sherman's death, Ezra Stiles, president of Yale College, wrote, "He was an extraordinary man—a venerable uncorrupted patriot." A talented politician, Sherman was also a man of deep religious faith who approached life seriously. Thomas Jefferson once claimed that the Connecticut statesman "never said a foolish thing in his life." A self-made man with the power of common sense and the ability to compromise, Sherman was completely dedicated to public service at both the state and national levels. He had a hand in the creation of the Declaration of Independence, the Articles of Confederation, and the Constitution.

Sherman was an early champion of union first among the colonies and then among the states. He understood the benefits of having a central government that could address national needs and handle international affairs. Sherman jealously guarded the rights of the people of America in general and of Connecticut in particular against encroachments by, first, the government of Great Britain, and, after independence, the government of the United States. A leader of American opposition to British tyranny in the 1760s and 1770s, he served in the First and Second Continental Congresses and was a member of the committee that drafted the Declaration of Independence. At the Constitutional Convention of 1787, he fought to protect the rights of the states, thereby lending support to the principle of federalism that was crucial to the American system of government.

## Relevant Thematic Essay for Roger Sherman

- Federalism

# *In His Own Words:*

## ROGER SHERMAN

### ON THE ROLE OF GOVERNMENT

#### Overview

In this lesson, students will learn about Roger Sherman. They should first read as background homework **Handout A—Roger Sherman (1721–1793)** 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: Roger Sherman on the Role of Government**, in which students consider how government affects their everyday life and compare Sherman’s view of the role of government with the reality of today. As a preface, there is **Handout B—Context Questions**, which will help the students understand the document.

There are **Follow-Up Homework Options** that ask the students to find a news article that illustrates the federal government either fulfilling one of the roles of which Sherman approved, or fulfilling a role of which he disapproved. The students will then write a one-paragraph essay from Sherman’s point of view, explaining how the government is properly fulfilling, or exceeding, its role. **Extensions** provides opportunity for thought as students are asked to research how a contemporary problem has been addressed by government.

#### Objectives

Students will:

- understand Sherman’s contributions to public service
- appreciate Sherman’s role as a leader of the American opposition to British tyranny
- analyze Sherman’s view of the proper division of power between the states and the national government
- understand the reasons for Sherman’s initial opposition to a bill of rights
- explain Sherman’s view of the role of government

#### 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—Roger Sherman (1721–1793)
- Handout B—Context Questions
- Handout C—In His Own Words: Roger Sherman on the Role of Government

##### 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—Roger Sherman (1721–1793)** and answer the Reading Comprehension Questions.



## II. Warm-Up [10 minutes]

- A. Review answers to homework questions.
- B. Conduct a whole-class discussion to answer the Critical Thinking Questions.
- C. Ask a student to summarize the historical significance of Roger Sherman.

*Roger Sherman was a leader of American opposition to British tyranny in the 1760s and 1770s. He served in the First and Second Continental Congresses and was a member of the committee that drafted the Declaration of Independence. At the Constitutional Convention of 1787, he fought to protect the rights of the states, championing the principle of federalism that was crucial to the American system of government. Sherman had a hand in the creation of the Declaration of Independence, the Articles of Confederation, and the Constitution. He initially opposed adding a bill of rights to the Constitution but later changed his mind and worked to win the approval of Connecticut for the Bill of Rights.*



## III. Context [5 minutes]

- A. Briefly review with students the idea of federalism, an invention of the American Founders. (In a federal system, government power is divided between central and local governments, each of which is supreme in its sphere.)
- B. Also review with students the main issues involved in the debate between Federalists and Anti-Federalists. (The Federalists asserted the need for a stronger central government and believed that the confederation of the states would break up if the Constitution was not ratified. Anti-Federalists feared that a stronger central government would endanger the rights of the people and the states.)



## IV. In His Own Words [20 minutes]

- A. Ask the students to brainstorm ways in which government touches their lives on a daily basis. (See the Answer Key for possible responses.) Write their answers on the board. Then ask them to label each example according to which level of government—federal, state, and/or local—is involved. Place an *F* next to the item for federal, an *S* next to state, and an *L* next to local. (Many examples will be labeled more than once.)
- B. Ask the students to consider which of the activities on the list are legitimate functions of government at some level. Place stars next to these activities. Place lines through those activities that are not legitimate activities of government at any level.
- C. Distribute **Handout B—Context Questions**. Be sure that the students understand the “who, what, where, and when” of the document.
- D. Distribute **Handout C—In His Own Words: Roger Sherman on the Role of Government**.
- E. Ask a student to read the excerpt from the speech by Sherman to the class.

# LESSON PLAN



## V. Wrap-Up Discussion [10 minutes]

Conduct a whole-class discussion about Sherman's view of the role of government.

- A. In 1787, what did he say about the roles of the federal and state governments?
- B. Today, what would Sherman say about the roles of government listed on the board?
- C. Why do you think the role of government has expanded since 1787?

*See Answer Key.*



## VI. Follow-Up Homework Options

- A. Have the students find a news article that illustrates the federal government fulfilling a role of which Sherman approved. Have the students write a one-paragraph essay from Sherman's point of view, explaining how the government is properly fulfilling this role.
- B. Have the students find a news article that illustrates the federal government fulfilling a role of which Sherman might have disapproved. Have the students write a one-paragraph essay from Sherman's point of view, explaining how the government is exceeding its proper role.



## VII. Extensions

Have the students select a contemporary problem and research how the federal, state, or local government responded to that problem. Then have them write a two- to three-page paper in which they (1) recommend which level of government—if any—should address that problem and (2) state how the problem should be addressed. Topics for research could include the following:

- Pollution
- Lack of medical care
- Failing schools
- Crime
- Terrorism

# LESSON PLAN

## Resources

### Print

- Bradford, M. E. *Founding Fathers: Brief Lives of the Framers of the United States Constitution*. Lawrence: University Press of Kansas, 1994.
- Collier, Christopher. *Roger Sherman's Connecticut: Yankee Politics and the American Revolution*. Middletown, CT: Wesleyan University Press, 1971.
- Kurland, Philip B., and Ralph Lerner. *The Founders' Constitution*. 5 vols. Indianapolis: Liberty Fund, 1987.
- McDonald, Forrest. *E Pluribus Unum: The Formation of the American Republic, 1776–1790*. Reprint. Indianapolis: Liberty Fund, 1979.
- Rommel, John G. *Connecticut's Yankee Patriot: Roger Sherman*. Hartford: American Revolution Bicentennial Commission of Connecticut, 1980.

### Internet

- “The Charters of Freedom: America’s Founding Fathers.” The National Archives and Records Administration. <[http://www.archives.gov/exhibit\\_hall/charters\\_of\\_freedom/constitution/connecticut.html](http://www.archives.gov/exhibit_hall/charters_of_freedom/constitution/connecticut.html)>.
- “The Debates in the Federal Convention of 1787 reported by James Madison.” The Avalon Project at Yale University Law School. <<http://www.yale.edu/lawweb/avalon/debates/debcont.htm>>.
- “Roger Sherman.” New Milford Historical Society. <<http://www.nmhistorical.org/learningzone/sherman.htm>>.
- “Roger Sherman, 1721–1793.” Colonial Hall. <<http://www.colonialhall.com/sherman/sherman.php>>.
- “Sherman, Roger.” Biographical Directory of the United States Congress. <<http://bioguide.congress.gov/scripts/biodisplay.pl?index=S000349>>.

### Selected Works by Roger Sherman

- Letter to John Adams, July 20, 1789

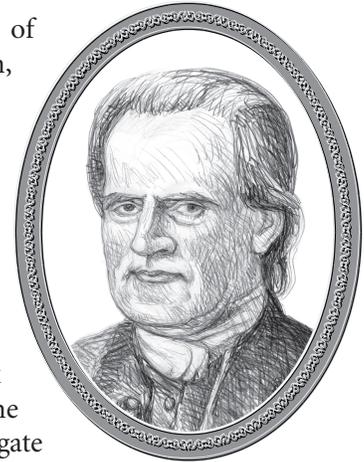
## ROGER SHERMAN (1721–1793)

The Constitution should lay as few temptations as is possible in the way of those in power.

—Roger Sherman, 1787



Philadelphia was hot and still as darkness descended on the evening of June 22, 1787. The city was the site of the Constitutional Convention, which had begun a month earlier. Its purpose was to fashion a new system of government for the young American republic. Inside the rented quarters of a small house near Convention Hall, Roger Sherman, the tall, stern, plainly dressed delegate from Connecticut, was having dinner with a delegate from South Carolina. Sherman was engaged in one of his favorite activities: hard-nosed political bargaining. He was hoping to obtain the South Carolina delegate's support for Connecticut's claim to western lands in return for supporting protection of the slave trade and a prohibition against the taxing of exported goods. Sixty-six years of age and a devout Calvinist, "Father Sherman," as many of the delegates called him, had a well-deserved reputation for honesty. The delegate from South Carolina had no doubt that Sherman would live up to any bargain the two men struck. And he also knew that he could trust the elder statesman to keep their dinner meeting a secret.



### Background

Roger Sherman was born in 1721 in Newton, Massachusetts, the son of a farmer. When he was two years old, his family moved to Stoughton. There Sherman attended the common school and learned the practice of shoemaking from his father. He spent his spare time studying theology, mathematics, history, and law. In 1743, two years after his father's death, Sherman and his family joined his older brother in New Milford, Connecticut.

In New Milford, Sherman opened a shoemaker—or "cobbler"—shop and earned a position as the county surveyor in 1745. The income from this office enabled him to buy land and to earn a favorable reputation throughout the county. Sherman published a series of almanacs between 1750 and 1761. He also studied law on his own, passing the bar in 1754.

During the next few years, Sherman served in the General Assembly, as a justice of the peace, and as a justice of the county court. In 1761, he gave up practicing law and moved to New Haven, Connecticut. There he opened a large general store and later served as treasurer of Yale College.

During the 1760s, Sherman became a leader of American resistance to British tyranny. Ever moderate and practical, however, he initially favored peaceful forms of protest, such as boycotts and petitions. In order to devote more time to public affairs, he retired from business in 1772. Two years later, Connecticut sent him as a representative to the First Continental Congress.

### Continental Congress and the Declaration of Independence

While in Philadelphia, Sherman established himself as a peer among the most respected and well-educated men of the colonies. He voiced his opinions with clarity, if without eloquence. The Continental Congress passed the Articles of Association, which established a

nonimportation and nonexportation policy in the colonies. The colonies vowed to boycott goods coming from Great Britain and to refrain from delivering goods to the mother country.

In 1775, Sherman returned for the Second Continental Congress, where he served on various committees dealing with foreign trade and military supply and planning. That same year, fighting broke out between colonial and British forces, and so the issue of formally creating an independent nation soon arose. When the time came to pick a committee to draft a declaration of independence, Sherman was chosen along with John Adams, Robert Livingston, Benjamin Franklin, and Thomas Jefferson. They were known as the Committee of Five.

The committee outlined the declaration and chose Jefferson to write the actual document. Jefferson presented his draft to Sherman and the other members of the committee, who made revisions. In June 1776, the committee agreed upon a final draft, which was presented to Congress. Once the delegates approved the document, Roger Sherman signed his name to the Declaration of Independence.

Sherman kept busy in committees throughout the Second Continental Congress. The military committees were soon organized into the Board of War. Sherman's business background qualified him to handle purchasing and distribution of supplies. He also dealt with military correspondence and served on committees that handled economic issues and Indian affairs.

### **Articles of Confederation**

In June 1776, Congress appointed Sherman to the committee that drafted a plan of union for the colonies. The Articles of Confederation were approved by Congress the next year. But concerns about representation and taxation delayed ratification of the document by the states until 1781.

While debate about the Articles of Confederation continued in the states, Sherman maintained his devotion to public service and Connecticut politics. He served in the state senate, on the Council of Safety, and as judge of the superior court. In 1783, he returned to Congress to approve the Treaty of Paris. The next year he was elected the first mayor of New Haven.

### **Constitution of the United States**

In 1787, at the age of sixty-six, Sherman was chosen as one of Connecticut's delegates to a convention whose purpose was to revise the Articles of Confederation. Soon after the convention began in Philadelphia, it became clear that most of the delegates wanted to create an entirely new government.

Sherman consented to the writing of a new constitution, but he was afraid of making the central government too strong. During the convention, therefore, he worked to guard the power of the states against the national government. He believed that the authority of the national government should be carefully restricted to a few areas. "All other matters civil & criminal," Sherman proclaimed on June 6, 1787, "would be much better in the hands of the States."

In order to protect the people's liberty, Sherman also argued for placing the balance of the national government's power in the legislature. He asserted that the executive was "nothing more than an institution for carrying the will of the Legislature into effect." To this end, Sherman proposed that the president be chosen by Congress and serve at its pleasure.

Sherman spoke at least one hundred thirty-eight times during the convention on a variety of subjects. He consistently argued for the careful limiting of government power. He also proposed the Great Compromise, which decided the method of representation in the Congress. By this agreement, the Congress would be divided into two houses. In the Senate, each state would have an equal vote. In the House of Representatives, each state would be represented according to its population. The Great Compromise settled the most difficult issue dividing the large and small states.

Sherman opposed listing the people's rights in the Constitution. He feared that such a bill of rights would give the federal government the authority to intervene in state affairs. Also, any such list would surely omit certain rights held by the people. This could be used by tyrants to take away the people's rights.

### **Ratification and the First Congress**

Sherman was not entirely happy with the final version of the Constitution. But he supported ratification of the document. He played an important role in Connecticut's decision to approve the Constitution.

In 1789, Sherman took a seat in the new House of Representatives. In the first Congress, he supported James Madison's effort to add a bill of rights to the Constitution. Ever flexible, Sherman had changed his mind on this issue. He came to favor a bill of rights because the people of Connecticut supported one. In 1791, the seventy-year-old Sherman was appointed to the United States Senate, where he served until his death in July 1793.



### **Reading Comprehension Questions**

1. Which important founding documents did Roger Sherman help to create?
2. What was Sherman's attitude toward the power of the national government at the Constitutional Convention?
3. What important dispute between the large and small states at the Constitutional Convention did Sherman help to resolve?

### **Critical Thinking Questions**

4. Ezra Stiles, the president of Yale College, described Roger Sherman as "an extraordinary man." Why do you think Sherman deserved such high praise?
5. Historian Forrest McDonald writes that Sherman "combined incorruptible moral rectitude with wily political talent." Do you think it is possible for a person to have both good morals and good political skills? Why or why not?

## CONTEXT QUESTIONS

**From a speech by Roger Sherman, June 6, 1787, at the Constitutional Convention**

*Answer the following questions. Note that some of these answers must be inferred.*

- a. When was this document written?
- b. Where was this document written?
- c. Who wrote this document?
- d. What type of document is this?
- e. What was the purpose of this document?
- f. Who was the audience for this document?

# IN HIS OWN WORDS: ROGER SHERMAN ON THE ROLE OF GOVERNMENT

**Note:** Before reading the following excerpt, please note that it is taken from Madison's Notes of Debates in the Federal Convention, with a few changes. The dialogue is now conveyed in the **present tense**, and from the **first person point of view** ("I" rather than "he"). Also, punctuation, capitalization, spelling, formatting, and abbreviations have been changed for the sake of clarity.

## From a speech by Roger Sherman, June 6, 1787, at the Constitutional Convention

The objects of the Union are few:

1. defense against foreign danger.
2. [defense] against internal disputes and a resort to force.
3. treaties with foreign nations.
4. regulating foreign commerce, and drawing revenue from it.

These and perhaps a few lesser objects alone render a Confederation of the States necessary. All other matters civil and criminal would be much better in the hands of the States. . . . I am for giving the General Government power to legislate and execute [the laws] within a defined province.

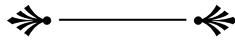
**Source:** "The Debates in the Federal Convention of 1787 Reported by James Madison: June 6." The Avalon Project at Yale Law School. <<http://www.yale.edu/lawweb/avalon/debates/606.htm>>.



### Discussion Questions

1. In 1787, what did Sherman say about the roles of the federal and state governments?
2. Today, what would Sherman say about the roles of government listed on the board?
3. Why do you think the role of government has expanded since 1787?

# FEDERALISM



By the time the delegates to the Constitutional Convention had gathered in Philadelphia in 1787, the American people had been accustomed for more than one hundred and fifty years to having most of their affairs managed first within the colonies and then in independent states. It was not surprising that the Articles of Confederation, the initial constitutional system for “The United States of America,” affirmed in its first article the general “sovereignty, freedom and independence” of the states. Beyond historical precedence, the commitment to state sovereignty drew support from sixteenth- and seventeenth-century theorists such as Jean Jacques Rousseau who argued that the habits and virtues needed by a self-governing people can be cultivated only in small republics. In short, history and theory seemed to be on the side of a confederation of small American republics or states.

If the American people were inclined to favor state sovereignty, they also were interested in comfortable preservation—that is, in the enjoyment of both “safety and happiness,” to borrow from the Declaration of Independence. By the mid-1780s, it was clear to many Americans that state sovereignty created obstacles to comfortable preservation, not the least being the impediments to a smooth-functioning commercial system. Concerns about the effects on the country of competing fiscal and commercial policies in the different states led to the Annapolis Convention of 1786. While the delegates to this convention did not come up with a specific plan for fixing the commercial system, they petitioned the confederation congress to arrange for a constitutional convention that would reconsider the Articles of Confederation with the aim of improving interstate commerce.

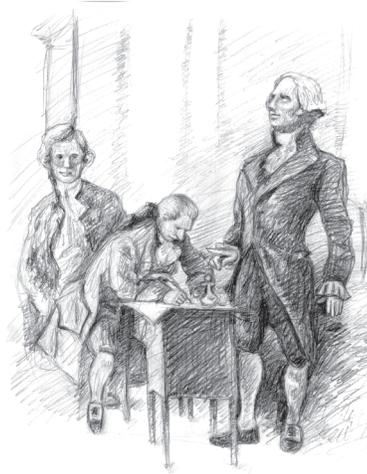
James Madison, one of seven delegates chosen to represent Virginia at the Constitutional Convention of 1787, prepared a document on the history of confederacies during the months preceding the meeting. Events such as Shays’s Rebellion in Massachusetts and disputes over the

commercial use of the Potomac River, along with his study of history, convinced him that a system based on state sovereignty was destined to fail. Madison worked with other members of the Virginia delegation on a plan for a basically national, rather than confederal, system of government. In addition to provisions for separate

legislative, executive, and judicial branches, the “Virginia Plan” would have empowered Congress “to negative all laws passed by the several States, contravening in the opinion of the National Legislature the articles of Union; and to call forth the force of the Union against any member of the Union failing to fulfill its duty under the articles thereof.” The Virginia Plan proposed a national government that would be legally and functionally supreme over the states.

According to Madison, only a national system would be capable of protecting the fundamental interests and rights of the American people. Other delegates at the convention disagreed. Roger Sherman of Connecticut, for example, argued that “the objects of Union . . . were few” and that “the people are more happy [*sic*] in small than in large States.” Sherman was not alone in preferring a confederation of small republics to a national or unitary political system. Madison understood that he had to expose the weaknesses of the confederal model to save the Virginia Plan. Sherman helped him out on June 6 by conceding that some states were too small and, hence, subject to factious violence. Madison seized upon this argument. He responded that “faction & oppression” had “prevailed in the largest as well as the smallest” states, although less in the former than the latter.

The teaching for Madison was clear: large republics are more likely to provide “security for private rights, and the steady dispensation of Justice,” than small republics. This argument hit home with the delegates. Madison convinced them that what they wanted most from government, that is, protection for rights or republican liberty, could



best be achieved in a national system. Small republics, he argued, were actually bad for republican liberty, being hotbeds of factious division and violence. He summed up his position bluntly: “The only remedy is to enlarge the sphere, & thereby divide the community into so great a number of interests & parties, that in the 1st. place a majority will not be likely at the same moment to have a common interest separate from that of the whole or of the minority; and in the 2d. place, that in case they shd. have such an interest, they may not be apt to unite in the pursuit of it.” Here was the outline of the famous defense of the large republic that appears in Madison’s *Federalist Paper No. 10*.

In the end, the delegates at the Constitutional Convention settled on a plan that combined national and confederal elements. To quote *Federalist Paper No. 39*: the proposed system “in strictness” was “neither national nor a federal Constitution, but a composition of both.” Madison’s June 6 speech, however, insured that the new “compound” republic would have a national as opposed to a confederal tilt. This innovative governmental model, what came to be called the “federal” model, represented one of America’s great contributions to the science of politics according to Madison. The model’s national elements were evident not only in the creation of separate executive and judicial departments as well as proportional representation in the House of Representatives, but in the supremacy clause that affirmed that the Constitution as well as national laws enacted under its authority would constitute the supreme law of the land. The confederal elements appeared in the provision for equal state representation in the United States Senate (a feature especially desired by the small states) and state participation in the ratification of amendments. The addition of the 10th Amendment in 1791 provided added protection for state interests (“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”).

The defenders of the confederal model continued their attacks on the new system during the ratification debates that followed the convention. Patrick Henry of Virginia, for example, accused the delegates to the Federal Convention of violating their authorization by

proposing to establish a “consolidated” government based on the consent of the people, rather than the states. For Henry, the new constitutional system would endanger the rights and privileges of the people along with the “sovereignty” of the states. Richard Henry Lee, one of the Anti-Federalists, shared Henry’s fear that a large republic would not be hospitable to liberty and natural rights. Like many other opponents of the Constitution, Lee also argued that republican liberty can be preserved only by a virtuous citizenry and that only small republics are capable of nurturing civic and moral virtues.

The fact that the document that issued from the Federal Convention did not include a bill of rights seemed to lend support to the charge by Patrick Henry and others that the proposed governmental

system would promote neither the happiness nor the liberty of the people. In fact, several delegates to the convention, including George Mason of Virginia and Eldridge Gerry of Massachusetts, were sufficiently troubled by the absence of a bill of rights that they departed without adding their signatures to the document. Gerry also worried that the new government would not adequately represent the people and that its powers were not well defined. When it was clear that the opponents of the plan would not accept the argument that the framework set out by the delegates provided for a limited government of enumerated powers that would be incapable of emasculating natural rights and liberties, an agreement was reached during the ratification period to add amendments that would guarantee, among other things, freedom of speech and religion, trial by one’s peers, and protection against unreasonable searches and seizures.

The federal system or compound republic crafted by the Framers was an ingenious response to the demand for both effective or competent government on the one side, and rights-sensitive government on the other. The decision to divide power among (federalism) and within (checks and balances) several governments positioned the American people to enjoy the benefits of a large republic (e.g., strong defense against foreign encroachments, national system of commerce, etc.) while still retaining significant control over their day-to-day affairs within the states. The states, and not the national government, were entrusted with the “police powers,” that is, the

*Madison convinced them that what they wanted most from government, that is, protection for rights or republican liberty, could best be achieved in a national system.*

authority to protect the health, morals, safety and welfare of the people. It is worth noting that Madison was quite content to entrust the police powers to the states—he never desired that the United States have a unitary system of government.

Ratification of the Constitution in 1791 hardly put an end to the debate between the advocates of state sovereignty or small republicanism and the proponents of national sovereignty and the large republic. The concerns of James Madison and Patrick Henry, for example, are never far from the surface of contemporary debates about the power of the federal government to impose regulations on the states under the Constitution's commerce

clause or the Fourteenth Amendment. There is considerable evidence, however, that the tension between these positions not only adds vitality to the constitutional system, but has been critically important to the advancement of both national security and equality in the enjoyment of fundamental rights. The federal arrangement that was crafted by the delegates at the Federal Convention of 1787 has long been recognized as one of the principal models of a modern democratic system of government.

*David E. Marion, Ph.D.  
Hampden-Sydney College*

### **Suggestions for Further Reading**

- Diamond, Martin. *The Founding of the Democratic Republic*. Itasca, IL: F.E. Peacock, 1981.
- Frohnen, Bruce (ed.). *The American Republic: Primary Sources*. Indianapolis: Liberty Fund, 2002.
- Kurland, Philip B. and Ralph Lerner (eds.). *The Founders' Constitution*. Indianapolis: Liberty Fund, 1987.
- McDonald, Forrest. *E Pluribus Unum*. Indianapolis: Liberty Fund, 1979.
- Storing, Herbert J. *What the Anti-Federalists Were For*. Chicago: The University of Chicago Press, 1981.

# 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.



“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 Priviledges* [*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

## 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:

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.”

*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.*

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

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 persuasion [*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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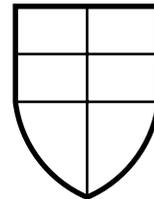
#### **Suggestions for Further Reading**

- Bailyn, Bernard. *The Ideological Origins of the American Revolution*. Cambridge, Mass.: Harvard University Press, 1967.
- 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

trade is nefarious. / Slavery discourages manufacturing and white immigration. / All states should surrender the right to regulate slavery.

**General Pinckney:** Y, Y, Y; No Argument / More slaves results in more goods, which results in more revenue. / South Carolina will not join the Union if the clause is rejected.

**Dickinson:** N, Y, X; No Argument / No Argument / The question of slavery should be decided by the federal government.

**King:** X, X, Y; No Argument / Not taxing slaves would be an unfair economic burden on the North. / The North and the South disagree on this issue.

**Langdon:** N, Y, X; No Argument / No Argument / The question of slavery should be decided by the federal government.

## ROGER SHERMAN

### Handout A—Roger Sherman (1721–1793)

1. Sherman had a hand in the creation of the Declaration of Independence, the Articles of Confederation, and the Constitution.
2. He worked to guard the power of the states against the national government. He believed that the authority of the national government should be carefully restricted to a few areas. In order to protect the people's liberty, Sherman also argued for placing the balance of the national government's power in the legislature.
3. He proposed the Great Compromise, which decided the method of representation in the Congress. By this agreement, the Congress would be divided into two houses. In the Senate, each state would have an equal vote. In the House of Representatives, each state would be represented according to its population.

4. Answers will vary. Some students could argue that Sherman was a dedicated public servant but far from extraordinary. He was not a great speaker or deep thinker; he was not a leader; he did not change the course of history in a significant way. Other students will say that Sherman was extraordinary. He had a hand in creating the Declaration of Independence, Articles of Confederation, and United States Constitution. At the Philadelphia Convention, he spoke 138 times and proposed the Great Compromise, which solved the issue of representation in the national legislature. He helped to persuade the Connecticut Ratifying Convention to approve the Constitution, and he served in the first Congress. Few Americans of the time were as involved in public affairs for as long as Sherman was.
5. Answers will vary. Some students will say that this is not possible: in order to be a successful politician, one must be dishonest at times. These students may name as examples people who have served in public office during the last few years. Others will say that there are many examples of people who were skilled at politics but who also led good moral lives. George Washington, Abraham Lincoln, and Jimmy Carter are three examples.

### Handout B—Context Questions

- a. The document was written in 1787.
- b. It was written in Philadelphia.
- c. Roger Sherman wrote the document.
- d. The document is an excerpt from a speech.
- e. Sherman wrote the speech to persuade the delegates that the central government should not be too strong.
- f. The audience for the document was the delegates to the Federal Convention of 1787.

# ANSWER KEY

## Handout C—In His Own Words: Roger Sherman on the Role of Government

A. Some examples of how government affects a student's life in a typical day include:

- Waking up to the clock radio: The Federal Communications Commission (FCC) regulates content of programs transmitted over the airwaves. (F)
  - Using toothpaste and cosmetics: The federal Food and Drug Administration (FDA) enforces regulations on health aids and cosmetics. (F)
  - Using the bathroom: Water purity and water content is regulated by the federal and local governments. (F,L)
  - Use of electrical devices, such as a hair dryer or razor: Electricity is regulated by federal and state governments; electrical devices are checked for safety by federal agencies. (F,S)
  - Getting dressed: Federal child-labor laws, safety standards, labor legislation, and international treaties regulate who makes clothes sold in the United States and how they are made. (F)
  - Eating breakfast: Food is regulated by the FDA. Some states set safety standards for certain foods. (F,S)
  - Putting out the garbage: Local government operates sanitation trucks. (L)
  - Making phone calls: The Federal Trade Commission (FTC) and the FCC regulate use of phone lines. (F)
  - Watching morning television: The FCC regulates program content. (F)
  - Driving a car to school: A person must obtain a state license and may be required by the state to purchase insurance. Insurance companies are regulated by the federal government. Cars must usually pass a state inspection. Local traffic laws must be obeyed. Roads are funded by local, state, and federal governments. (F,S,L)
- Going to a public school: Local governments operate the schools, and state governments have authority over them. Students in these schools must meet state academic standards. Many programs in public schools are funded by the federal government. The safety of the workplace is monitored by the federal Occupational Safety and Health Administration (OSHA). (F,S,L)
  - Going to a job after school: The safety of the workplace is monitored by OSHA. Federal, state, and local taxes are taken out of people's paychecks. (F,S,L)

B. Answers will vary. Some students, who believe that an activist government promotes the good of all, will approve of most or all of the roles of government listed. Others who see a danger in giving too much power to government will disapprove of many or most of the listed activities.

C. No answer is necessary.

D. No answer is necessary.

E. No answer is necessary.

## V. Wrap-Up Discussion

1. Sherman limited the role of the federal government to four areas. He argued that states should legislate in all other areas.
2. Answers will vary. Sherman would probably disapprove of many of the roles that the federal government fulfills today because he believed that the federal government's power should be limited to only four areas.

## ANSWER KEY

3. Answers will vary. Students could refer to three historical benchmarks that propelled the growth of the federal government:
  - the Civil War, 1861–1865 (The federal government emerged supreme over the states, and the Supreme Court began to apply the Bill of Rights to the states.)
  - the New Deal, 1933–1945 (The federal government took direct responsibility for the economic welfare of individual Americans.)
  - the Great Society, 1960s (The federal government greatly expanded its efforts to help the poor, sick, and elderly.)
4. Witherspoon encouraged his students to be thinkers who could consider a wide range of viewpoints and then use their intellects to choose the best options. The deliberations of the Continental Congresses and at the Constitution Convention reflected this rational approach to decision making.
5. Answers will vary.

### Handout B—Vocabulary and Context Questions

1. Vocabulary
  - a. religious group
  - b. determine
  - c. property owners
  - d. leaving out
  - e. church-related
  - f. permanent
  - g. harmful
  - h. completely
  - i. anticipated
  - j. relating to clergy
  - k. given up
  - l. controversy
  - m. unclear
  - n. changes
  - o. removal
2. Context
  - a. The document was written in 1777.
  - b. The document is about a provision in the Constitution of Georgia, but there is no indication that the document was written or published in Georgia.
  - c. John Witherspoon wrote the document.
  - d. It is a letter to the editor of a newspaper.
  - e. Witherspoon's purpose was to persuade those who were writing the Georgia state constitution to reconsider their prohibition on clergy serving in the legislature and to entertain his readers

## JOHN WITHERSPOON

### Handout A—John Witherspoon (1723–1794)

1. Witherspoon's speaking style had the following characteristics:
  - a. graceful and elegant
  - b. filled with good sense
  - c. memorized but natural
  - d. no dramatic gestures
  - e. simple language
  - f. thoughtfully reasoned
2. Witherspoon improved the curriculum by offering more comprehensive courses, expanding the library, encouraging students to read a variety of sources, and encouraging students to consider various opinions while using reason and faith.
3. He held the following offices:
  - a. member of Committees of Correspondence and Safety
  - b. delegate to the Continental Congress (1776–1782)
  - c. signer of the Declaration of Independence
  - d. member of the New Jersey state ratifying convention