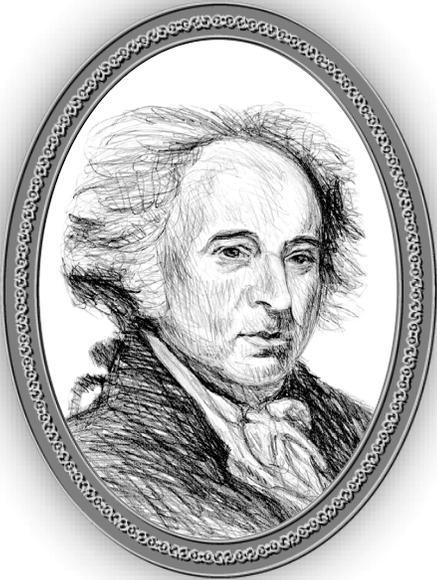


JOHN ADAMS (1735–1826)



There is danger from all men. The only maxim of a free government ought to be to trust no man living with power to endanger the public liberty.

—John Adams, 1772



Introduction

Short, overweight, and quick-tongued, John Adams hardly fits the model of the typical Founding Father. But Adams’s contributions to American independence and the formation of the United States government were on a par with his contemporaries. Adams penned defenses of American rights in the 1770s and was one of the earliest advocates of colonial independence from Great Britain. The author of the Massachusetts Constitution and Declaration of Rights of 1780, Adams was also a champion of individual liberty. He favored the addition of the Bill of Rights to the United States Constitution, and indeed the federal Bill in many respects resembled his Declaration. As president, he kept America out of war with France, but signed the unpopular (and probably unconstitutional) Alien and Sedition Acts to do so.

Adams was a principled man who was willing to take unpopular stands. For example, his legal defense of the British soldiers who killed five Bostonians in the infamous “Massacre” of 1770 lost him law clients and friends. Though he often spoke his mind openly, Adams trusted few people aside from his wife Abigail, his only confidante. To her he once lamented that “mausoleums, statues, monuments will never be erected to me.” For many years such contemporaries as George Washington, Benjamin Franklin, and Thomas Jefferson obscured him from the gaze of posterity. But in recent years, Adams’s contributions have been reevaluated and the man whom Thomas Jefferson called “a colossus of independence” has assumed his rightful place among his fellow Founders esteemed by history.

Relevant Thematic Essays for John Adams

- Equality
- Limited Government
- Republican Government

In His Own Words:

JOHN ADAMS

ON THE EVE OF INDEPENDENCE

Overview

In this lesson, students will learn about John Adams. They should first read as homework **Handout A—John Adams (1735–1826)** and answer the **Reading Comprehension Questions**. After discussing the answers to those in class, the teacher should have students answer the **Critical Thinking Questions** as a class. Next, the teacher should introduce the primary source activity, **Handout C—In His Own Words: John Adams On The Eve Of Independence** in which Adams writes to his wife, Abigail, about the events of July 2, 1776. As a preface, there is **Handout B—Vocabulary and Context Questions**, which will help the students understand the documents. **Handout D—Discussion Guide** will facilitate conversation about the documents.

There are **Follow-Up Homework Options** that ask students to explain when Independence Day should be celebrated, or to create a graphic novel depicting John Adams’s involvement in the events of June and July 1776. **Extensions** asks students to research the Alien and Sedition Acts, or to research the Adams family and their contributions to American government.

Objectives

Students will:

- explain John Adams’s role in the American Revolution and the shaping of the Constitution.
- understand the reasons for and objections to the Alien and Sedition Acts (1798).
- understand key events leading up to the adoption of the Declaration of Independence.
- understand the value of reading personal letters from history.
- appreciate Adams’s contributions to America as a Patriot and as President.

Standards

- CCE (9–12): IC1, IC3, IIIA1, IIIA2
- NCHS (5–12): Era III, Standards 3A, 3B, 3D
- NCSS: Strands 2, 5, 6, and 10

Materials

Student Handouts

- Handout A—John Adams (1735–1826)
- Handout B—Vocabulary and Context Questions
- Handout C—In His Own Words: John Adams On The Eve Of Independence
- Handout D—Discussion Guide

Additional Teacher Resources

- Transparency Master A—Independence Timeline
- 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—John Adams (1735–1826)** 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 John Adams.

John Adams defended in a court of law the British soldiers accused in the Boston Massacre and drafted the Massachusetts Declaration of Rights. He served in the Continental Congress and was a leading advocate of independence. He completed diplomatic missions in Europe, served as Vice President under George Washington, and was elected the second President of the United States. As president, he kept the U.S. out of war with France but signed the controversial Alien and Sedition Acts to do so.



III. Context [5 minutes]

Explain to students that John Adams's wife Abigail was his closest, if not only, confidante. The two spent much time apart in the years leading up to and after the Revolution (1773–1784), first while Adams was traveling as a circuit judge, then later serving on the Continental Congress and traveling as a diplomat. Their correspondence reveals an intimate glimpse into the ways the events of the Revolution personally affected the Founders and their families.



IV. In His Own Words [20 minutes]

- As a large group, ask students to brainstorm a list of ways they keep in touch with friends and family. Ask them to recall, in particular, ways they have shared happy news with loved ones.

Students may suggest talking on the phone (land lines as well as portable cell phones), writing letters, sending emails, text messages, having Internet “chats” or instant messenger conversations.

- Put up an overhead of **Transparency Master A—Independence Timeline** and review the events, helping students understand the chronology.
- Distribute **Handout C—In His Own Words: John Adams on the Eve of Independence**. Have students take turns reading the letters aloud (or, alternatively, choose one student who is a strong reader to read both letters aloud to the class). Have students speculate what day the letters were written, based on **Transparency Master A**. (*They were written on July 3, 1776.*)
- Distribute **Handout B—Vocabulary and Context Questions** and have students complete it individually.
- Divide students into pairs or trios and have them complete **Handout D—Discussion Guide**.

LESSON PLAN



V. Wrap-Up Discussion [10 minutes]

Bring the class back together and conduct a large group discussion, having students share their answers to **Handout D**.



VI. Follow-Up Homework Options

- A. John Adams believed that future generations would celebrate Independence Day on July 2. He said that day “ought to be solemnized with pomp, shews, games, sports, guns, bells, bonfires and illuminations, from one end of the continent to the other, from this time forward forever.” Have students write a paragraph explaining whether Independence Day should be celebrated on July 2 or, as it is celebrated, on July 4.
- B. Have students create a graphic novel depicting John Adams and the events of July 1776. Illustrations should include the major events on **Transparency Master A**, and dialogue should demonstrate knowledge of Adams’s participation in and feelings about American independence.



VII. Extensions

- A. Have students research the Alien and Sedition Acts. Were they justifiable wartime measures? Why or why not? How much responsibility does John Adams bear, given that he did not advocate for the measures, yet did not oppose them? Have students explain their responses in a one-page essay.
- B. Have students research the Adams family including John Adams’s son, who was president when Adams died, and his grandsons. Have students create a PowerPoint presentation sharing what they learned with the class.

LESSON PLAN

Resources

Print

- Diggins, John Patrick. *The Portable John Adams*. New York: Penguin Books, 2004.
- Ellis, Joseph E. *Passionate Age: The Character and Legacy of John Adams*. Reprint. New York: W.W. Norton, 2001.
- Ferling, John. *John Adams: A Life*. Reprint. New York: Owl Books, 1996.
- McCullough, David. *John Adams*. New York: Simon and Schuster, 2001.
- Thompson, C. Bradley. *John Adams and the Spirit of Liberty*. Reprint. Lawrence: University Press of Kansas, 2002.
- Waters, John J. Jr. *The Adams Family in Provincial and Revolutionary Massachusetts*. Chapel Hill: University of North Carolina Press, 1968.

Internet

- Adams National Historical Park. National Park Service. <<http://www.nps.gov/adam/>>.
- “Online: The Adams Family.” The Massachusetts Historical Society. <<http://www.masshist.org/adams/>>.
- Biography of John Adams. The White House. <<http://www.whitehouse.gov/history/presidents/ja2.html>>.
- Biography of John Adams. Colonial Hall. <<http://www.colonialhall.com/adamsj/adamsj.asp>>.

Selected Works by John Adams

- *A Dissertation on the Canon and Feudal Law* (1765)
- *Thoughts on Government* (1776)
- *Defense of the Constitutions of Governments of the United States of America* (1787–1788)
- *Discourses on Davila* (1805)

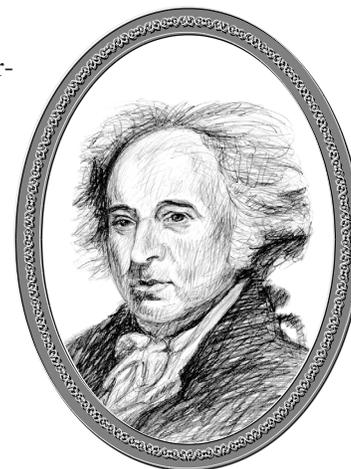
JOHN ADAMS (1735–1826)

Liberty cannot be preserved without a general knowledge among the people.

—John Adams, 1765



The end was clearly near. It was the Fourth of July, 1826, and ninety-year-old John Adams had collapsed that morning in his favorite reading chair at his Braintree, Massachusetts, home. Now he lay unconscious in his bed, surrounded by his doctors and a few close friends and relatives. At five-thirty in the evening, he suddenly awoke and instructed those around him to let him be. With great effort the former President of the United States spoke of his one-time partner in Revolution, whispering, “Thomas Jefferson survives.” Not long after that, Adams passed away, unaware that the Virginian had already died earlier that same day.



Background

John Adams was born on October 30, 1735, in Braintree, Massachusetts. He attended Harvard College, graduating at the age of twenty. Returning to Braintree, he became a teacher. Adams then studied the law and was admitted to the bar in 1758.

In 1761, Adams witnessed fellow lawyer James Otis argue the famous writs of assistance case in a Boston courtroom. In this case, Otis challenged the legality of search warrants that gave British customs officials broad authority to inspect American ships, warehouses, and private homes. Though Otis lost the case, Adams was inspired by his arguments, which used natural law to defend American rights.

Dissertation on the Canon and Feudal Law

Fired by Otis’s speech, Adams became a defender of American liberty. In 1765 he began writing a series of essays, *A Dissertation on the Canon and Feudal Law*. When British Parliament passed the Stamp Act that same year, Adams concluded the *Dissertation* with an attack on this hated law. Adams called for Americans to stand fast in defense of their rights.

The Boston Massacre

Parliament repealed the Stamp Act in 1766, and anti-British sentiment died down in the colonies. That same year Adams moved to Boston, where he continued to practice law. On March 5, 1770, a group of British soldiers fired on a mob of Bostonians who had been taunting the soldiers and pelting them with snowballs and various objects. Five citizens were shot and killed.

Nine soldiers were arrested and tried in Boston, and Adams agreed to act as their lawyer. Though he detested the presence of British troops in Boston, Adams also deplored mob violence. “Facts are stubborn things,” Adams said to the jury in the case. “Whatever may be our wishes . . . they cannot alter the state of facts and evidence.” The jury found seven of the soldiers not guilty, and found two guilty of a lesser charge of manslaughter. These men were branded on the thumb and let go.

Independence

Adams's popularity among his fellow Bostonians suffered for a time as a result of his defense of the soldiers. Still, he was elected to the Massachusetts legislature in 1770 and served in the First Continental Congress in 1774. Adams played a leading role in Congress, serving on ninety committees and chairing twenty-five of these.

Adams was an early advocate of independence from Great Britain. In 1776 he penned his *Thoughts on Government*. In this essay, Adams described how an independent American government should be arranged. That summer he headed the committee charged with writing the Declaration of Independence. Congress then appointed Adams minister to France.

The Massachusetts Constitution

Adams returned home in 1779. The next year, he drafted a new constitution for Massachusetts. Included in the document was a declaration of rights, which declared that all men were “born free and equal” with certain “natural, essential, and unalienable rights.” Among those rights were “freedom of deliberation, speech, and debate” and “liberty of the press.” The declaration also guaranteed the right to trial by jury, prohibitions against unreasonable searches and seizures, and expanded religious freedom in the state.

The Constitution and Bill of Rights

In 1780, Adams accepted another diplomatic assignment from Congress and returned to Europe. He served on the commission that negotiated the Treaty of Paris, which ended the Revolutionary War. He then served as American minister to London from 1783–1788.

While in London, Adams followed the events at the Constitutional Convention taking place in Philadelphia in the summer of 1787. He corresponded with his friend, Thomas Jefferson, who was serving in Paris. Both urged Congress to yield to the Anti-Federalist demand for a bill of rights as a condition for ratifying the proposed Constitution.

President of the United States

The Constitution was ratified in 1789. Adams was elected the first Vice President of the United States, serving under George Washington from 1789 to 1797. In 1796, Adams was elected President. During the 1790s, the first American party system developed. Adams sided in spirit with the Federalists against the Democratic-Republicans (or simply, Republicans), headed by Jefferson.

Early in Adams's term, the United States entered a “quasi-war” (or undeclared war) with France. Much of Europe was at war with France at this time. Adams, who saw war as a last resort, was facing a dilemma. Many within his party wanted a declaration of war. Many within the Republican Party, though, had publicly stated their sympathy for the French Revolutionaries and accused Adams of being a monarchist.

In response to this crisis, the Federalist-controlled Congress passed a series of laws known as the Alien and Sedition Acts in 1798. These laws gave the government the authority to deport aliens and to lengthen the period of naturalization for immigrants. (Immigrants tended to become Republicans). Though John Adams signed these laws, he never asked for or personally used them. Adams, much later, explained that he saw the Alien Acts as war measures. “I knew there was need of them both, and I consented to them.”

The Sedition Act, more controversially, limited freedom of the press and permitted authorities to jail citizens who criticized the government. (Again, those who were jailed

were all Republicans.) This law arguably violated the First Amendment, but the Federalists insisted it was a war measure. Several Republican newspaper editors were arrested under the Sedition Act.

Defeat, Retirement, and Death

Jefferson defeated Adams for the presidency in the election of 1800. The Republican-controlled Congress repealed the Naturalization Act and allowed the other laws to expire between 1800 and 1802.

By this time, political disagreements between Adams and Jefferson had declined into personal animosity. The one-time collaborators would not communicate with each other for twelve years. Near the end of their lives, though, Adams and Jefferson reconciled. Adams assured Jefferson that “while I breathe I shall be your friend.” The end for both men came on July 4, 1826, the fiftieth anniversary of the adoption of the Declaration of Independence.



Reading Comprehension Questions

1. What role did Adams play in the American Revolution?
2. What role did Adams play in the shaping of the Constitution?
3. What were the Alien and Sedition Acts? Why did Adams sign these into law?

Critical Thinking Questions

4. Adams once lamented that “mausoleums, statues, monuments will never be erected to me.” Do you think he deserves a monument? Why or why not?
5. When, if ever, should the state or federal government have the right to limit Americans’ freedom of speech?

VOCABULARY AND CONTEXT QUESTIONS

John Adams's Letters to Abigail Adams, 1776

1. **Vocabulary:** *Use context clues to determine the meaning or significance of each of these words and write their definitions:*
 - a. dissenting
 - b. impelled
 - c. hitherto
 - d. commencement
 - e. controversy
 - f. recollect
 - g. folly
 - h. sundered
 - i. calamities
 - j. affliction
 - k. venality
 - l. apprehensions
 - m. Providence
 - n. epoch

2. **Context:** *Answer the following questions.*
 - a. Who wrote these documents?
 - b. When were these documents written?
 - c. Who is the audience of these documents?
 - d. Why were these documents written?

IN HIS OWN WORDS: JOHN ADAMS ON THE EVE OF INDEPENDENCE

John Adams's Letters to Abigail Adams, 1776

A.
To Abigail:

Yesterday the greatest question was decided, which ever was debated in America, and a greater, perhaps, never was or will be decided among Men. A resolution was passed without one dissenting colony "that these United Colonies are, and of right ought to be, *free and independent states* . . ." You will see in a few days a declaration setting forth the causes which have impelled us to this mighty revolution and the reasons which will justify it in the sight of God and man. . . .

When I look back to the year of 1761 and recollect [James Otis'] argument concerning writs of assistance in the superior court, which I have hitherto considered as the commencement of the controversy between Great Britain and America, and run through the whole period from that time to this, and recollect the series of political events, the chain of causes and effects, I am surprised at the suddenness as well as greatness of this revolution. Britain has been filled with Folly and America with Wisdom, at least this is my Judgment. Time must determine. It is the will of Heaven that the two countries should be sundered forever. It may be the will of Heaven that America shall suffer calamities still more wasting and distressing yet more dreadful. If this is to be the case, at least it will inspire us with many virtues, which we have not, and correct many errors, follies, and vices, which threaten to disturb, dishonor, and destroy us. The furnace of affliction produces refinement, in states as well as individuals. The people will have unbounded power. And the people are extremely addicted to corruption and venality, as well as the great. I am not without apprehensions from this quarter, but I must submit all my hopes and fears to an overruling Providence, in which, unfashionable as the faith may be, I firmly believe.

B.
To Abigail:

. . . The second day of July, 1776, will be a memorable epoch in the history of America. I am apt to believe that it will be celebrated by succeeding generations, as the great Anniversary Festival. It ought to be commemorated, as the day of deliverance by solemn acts of devotion to God Almighty. It ought to be solemnized with . . . games, sports, guns, bells, bonfires and illuminations, from one end of the continent to the other, from this time forward forever.

You will think me transported with enthusiasm; but I am not. I am well aware of the toil, and blood, and treasure, that it will cost us to maintain this declaration, and support and defend these states. Yet, through all the gloom, I can see the rays of light and glory; I can see that the end is more than worth all the means, and that posterity will triumph, although you and I may rue, which I hope we shall not.

Source: "John Adams's Letter to Abigail Adams." U.S. Constitution.com
<<http://usconstitution.com/JohnAdamsLettertoAbigailAdamsonDecofInd.htm>>.

DISCUSSION GUIDE

Directions: After reading John Adams’s letters to his wife Abigail, discuss and answer the following questions with your partner(s). Please be prepared to share your responses with the class.

Reading Comprehension Questions

1. In Letter A, to what resolution is Adams referring?

2. In Letter A, why does John Adams refer to James Otis?

3. In Letter B, what does John Adams predict about the date July 2?

Critical Thinking Questions

4. Write three adjectives to describe John Adams’s mood in Letter A.

5. Write three adjectives to describe Adams’s mood in Letter B.

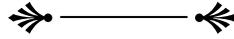
6. Does Adams believe that once independence is declared, there will be no further challenges to meet? Explain why or why not.

7. Explain what Adams means when he says, “The furnace of affliction produces refinement, in states as well as individuals.”

8. Which letter do you think was written first, Letter A or Letter B? Why?

9. How do private letters, such as these, differ from historical documents that are written for a public audience? What can we learn from letters that we cannot always learn from public documents?

EQUALITY



Perhaps no single phrase of the Founders is more commonly misinterpreted than the claim, made by Thomas Jefferson in the Declaration of Independence, “that all men are created equal.” Jefferson did not mean that all people are, in fact, in every way equal. Nor did he mean that all people *should* be equal in every way. He did, however, mean that all individuals possess identical natural rights. These rights, he wrote, include “life, liberty,” and the ability of individuals to engage without injuring one another in “the pursuit of happiness.” Jefferson’s belief in the equality of natural rights reflected deeply-rooted Anglo-American tradition. His words, after all, echoed the reasoning of John Locke, the English political philosopher who, in 1689, maintained that no one—no matter how powerful—possesses the right to “take away” without just cause “the Life, Liberty, Health, Limb or Goods of another.”

Yet Jefferson’s assertion regarding natural rights also sanctioned a radical departure from the past. The Declaration of Independence, which Jefferson penned in behalf of the other privileged delegates to the Continental Congress, helped to inspire ordinary Americans to overturn timeworn social and political barriers separating aristocrats from common people and the powerful from the powerless.

In 1776, these distinctions were stark. Maybe the 3.5 million people who lived in America had been created equal, but more than 600,000 had subsequently been enslaved. When women married, a legal doctrine known as “coverture” held that they lost their legal identity and forfeited to their husbands their property. They could not vote, and since nearly everywhere laws made enfranchisement conditional on the ownership of a sizeable portion of land, neither could many men. Laws establishing primogeniture, which passed to the eldest son all of a father’s land if he died without leaving a will, slowed a fairly consistent trend during the colonial era toward the gradual expansion of land ownership among the population,

as well as the gradual expansion of common people’s political power, which land ownership made possible. In addition, individuals who subscribed to minority religious faiths also suffered from legal inequality. Despite the relative rarity of instances of state-sanctioned intolerance toward members of most minority religions, nine of the original thirteen states designated an official faith that enjoyed taxpayer-financed subsidies as well as other benefits and privileges.



A general acceptance of social hierarchy reflected and reinforced these instances of legal inequality. In many ways American society continued to fit the description of Jonathan Edwards, the eighteenth-century theologian, who observed that all individuals possessed “their appointed office, place and station, according to their several capacities and talents, and everyone keeps his place, and continues in his proper business.” These assumptions, according to historian Gordon Wood, coalesced naturally with “the hierarchy of a monarchical society” and were feudal in their origins. “In such a society it was inconceivable,” Wood maintains, “for inequality not to exist.”

While an acceptance of monarchical government helped to foster legal inequality and social hierarchy, the republican alternative to absolutism—which gained ground in America especially after the Glorious Revolution of 1688—did not immediately spark a move toward egalitarianism. In many ways, in fact, republicanism bolstered the notion that limits should be placed on who could be entrusted with the reins of government. While republican thinkers believed that the distribution of political power should be expanded to varying degrees, the empowerment of an increasing number of individuals constituted merely a means to a greater end, which was the restraint of government power itself.

Republicans insisted, for example, that political participants be virtuous and that their decisions be motivated by a concern for the good of the entire society. In other words, republicans maintained that

voters and officeholders alike should be selfless (or “disinterested”) in their decision-making—that they should not aim to use the power of government to serve the interests of themselves or any particular constituency. Such disinterestedness, republicans believed, could only be expected of individuals who possessed a sufficient degree of economic independence. Certainly the enslaved lacked independence, and women were presumed to be dependent on their husbands and fathers. Were the poor empowered with the franchise, their desperation could mean that their votes could be cheaply purchased. It might also lead them to use their power to seize the wealth of others. Republican theorists presumed that the rich and the middling, meanwhile, would less easily fall under the influence of others and would be less likely give in to selfish motives. Republicans, who maintained that the only people who should be entrusted with the government of others were people capable of governing themselves, focused their energies on restraining the predatory nature of political power.

One of the most effective weapons in this crusade, however, was the principle that all men had a right to equal protection under the law. Republicans in Britain and America maintained, for example, that all men accused of serious crimes were entitled to be tried in front of juries of their peers. In addition, republicans believed that all men deserved protection against the imposition of excessive bails and excessive fines, and against the infliction of punishments disproportionate with those accorded to others found to have committed similar offenses against the law. A general acceptance of this sort of procedural equality, which aimed to prevent government officials from singling out individuals or groups for persecution, created a climate within which other forms of equality could take root.

So did the belief that all Britons—whether they resided in England or America—shared an equal right to the protection of a representative assembly. The English Bill of Rights (1689) not only guaranteed to all men the benefit of consistent legal practices, but also restricted government from acting in certain circumstances without the consent of Parliament. The monarch possessed no unilateral power to suspend laws, levy taxes, station an army among the civilian population, or interfere with elections or the

legislative process. While members of the House of Commons generally favored a narrow interpretation of the Bill of Rights and believed themselves to be the ultimate authority on these matters throughout the British empire, Americans tended to disagree. Since they had no direct representation in Parliament, Americans believed that their own elected colonial assemblies possessed Parliament’s prerogatives.

The 1763–1776 imperial crisis brought this issue to the fore and cemented in the minds of many Americans a belief in their own collective equality with the people of Britain. First, Parliament drew its unpopular Proclamation Line, which prohibited American settlement beyond the crest of the Appalachian Mountains. Then Parliament passed the hated 1765 Stamp Act, through which it acted

without the consent of colonial legislatures to impose a tax on legal documents, newspapers, broadsides, and other paper goods. These and other British measures spurred a spirited resistance movement, helped to provoke the spilling of blood at Lexington and Concord, and led to the Declaration of Independence. Many Americans came to agree with Thomas Paine, who wrote in his 1776 pamphlet, *Common Sense*, that “there is something very absurd, in supposing a continent to be perpetually governed by an island.” Parliament’s recalcitrant insistence on its authority to govern a distant people portended continued abuses of power and unacceptable usurpations of rights. Since in Parliament there existed no equality between the people of Great Britain and the people of America, there was no accountability on the part of Great Britain compelling it to consider what was good for America.

This unbalanced relationship unleashed the avarice of Britons, whom some colonists compared to wolves salivating over vulnerable American sheep. As Paine observed, “the property of no man is secure in the present unbraced system of things.” Within this context, Jefferson, in the Declaration of Independence, not only claimed the equal rights of American people but also the equality of the American people relative to the people of all other nations when he asserted that Americans had a right to enjoy “the separate and equal station to which the Laws of Nature and Nature’s God entitle them.” Americans, in other words, counted for just as much as people anywhere else.

One of the most effective weapons in this crusade, however, was the principle that all men had a right to equal protection under the law.

This was a powerful sentiment. First, it expressed the collective will of the people who comprised the various colonies that now—like the independent nations of Europe—called themselves “states.” The value placed on collective equality by these new states manifested itself through the fact that, according to the rules that governed the Continental Congress as well as those of the Articles of Confederation, a tiny state such as Delaware had a voice as loud as a much more populous state, such as Pennsylvania. Even under the 1787 Constitution, which provided for a lower chamber with proportional representation, within the Senate the states had equal power. Second, the statement drafted by Jefferson helped to inspire the hopes of various groups—such as common people, religious minorities, women, and African-Americans—that would now begin to question their own unequal stations. If earlier, Americans had based their claims of equality upon their inclusion within a system of English rights and privileges, American revolutionaries now made their appeals on the basis of self-evident truths and universal rights granted by God or nature. As Paine wrote, “a new method of thinking hath arisen.”

It took no great leap of logic to apply the universal claims of the Declaration to various deprived groups. Abigail Adams did this when in 1776 she wrote to her husband, John, a member of the Continental Congress. “I long to hear that you have declared an independency,” she said, for it would provide him and his colleagues with an opportunity to make a new code of law. In this, she maintained, “I desire you would remember the ladies and be more generous and favorable to them than your ancestors.” Appropriating some of the same principles that had been used to justify American opposition to Britain, she reminded her husband that “all men would be tyrants if they could. If particular care and attention is not paid to the ladies, we are determined to foment a rebellion, and will not hold ourselves bound by any laws in which we have no voice or representation.”

A group of slaves from the towns of Stratford and Fairfield in 1779 used similar arguments when they petitioned the Connecticut General Assembly for freedom. “We are endowed with the same Faculties as our masters,” they wrote, “and there is nothing that leads us to a Belief, or Suspicion, that we are any more obliged to serve them, than they

us.” Not unlike white Americans, they maintained, “we are Convinced of our Right (by the Laws of Nature and by the whole Tenor of the Christian Religion. . . .) to be free.” It was simply not “consistent with the present Claims, of the united States, to hold so many Thousands, of the Race of Adam, our Common Father, in perpetual Slavery.”

Although women and African-Americans would continue to suffer under unequal laws for many decades, for white Americans the idea of equality yielded much more immediate benefits. To a certain degree, American social hierarchy had

never been as fully articulated as in Europe. John Adams observed in 1761 that “all Persons under the Degree of Gentlemen are styled Yeoman.” Yet, within the lifetime of the revolutionary generation, the very existence of a special class of

“gentlemen” and “ladies” had been called into question. Old distinctions melted away as the principles of the Revolution combined with the dramatic new economic opportunities of the Market Revolution and the leveling spirit of early nineteenth-century religious revivalism to foster in the minds of Americans the notion that no man or woman was in any fundamental sense better than any other.

This spirit manifested itself through the gradual elimination of laws that favored certain religious groups over others. Paine helped to set the stage for this development, for in 1776 he wrote that “there should be diversity of religious opinions among us: It affords a larger field for our Christian kindness.” Then the efforts of Jefferson and James Madison resulted in the 1786 passage of the Virginia Statute for Religious Freedom, starting a trend that would continue until 1833, when Massachusetts became the last state to cut ties with a specific church. Similarly, laws limiting the franchise also eroded. Thanks to egalitarian principles and the recognition that, in the diversified market economy, land no longer served as a meaningful measure of independence, by the 1840s all white men could vote.

The flowering of equality in America manifested itself not only through the new republic’s laws but also through its people’s spirit. This is what struck Englishman Charles Janson, who traveled in the United States in the first decade of the nineteenth century. Upon his arrival at the house of an acquaintance, he was greeted by a servant. “Is your master at home?” he asked. The servant’s response

American revolutionaries now made their appeals on the basis of self-evident truths and universal rights granted by God or nature.

was simple: “I have no master.” The point was that Americans were their own masters and that status had more to do with effort, behavior, and character than inheritance. Americans never called for equality of condition, but they did seek equal opportunities to engage in individual pursuits of happiness. Americans, who had abandoned old

notions that paid deference to the inherited aristocracy of wealth and privilege, now embraced what Jefferson described as a “natural aristocracy of talents & virtue.”

*Robert S. McDonald, Ph.D.
United States Military Academy*

Suggestions for Further Reading

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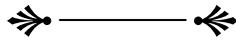
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LIMITED GOVERNMENT



Thomas Jefferson accurately represented the convictions of his fellow colonists when he observed in the Declaration of Independence that a government, to be considered legitimate, must be based on the consent of the people and respect their natural rights to “life, liberty and the pursuit of happiness.” Along with other leading members of the founding generation, Jefferson understood that these principles dictated that the government be given only limited powers that, ideally, are carefully described in written charters or constitutions.

Modern theorists like John Locke and the Baron de Montesquieu had been making the case for limited government and separation of powers during the century prior to the American Revolution. Colonial Americans were quite familiar with Locke’s argument from his *Two Treatises of Government* that “Absolute Arbitrary Power, or Governing without settled standing Laws, can neither of them consist with the ends of Society and Government. . . .” Locke added that the reason people “quit the freedom of the state of Nature [is] to preserve their Lives, Liberties and Fortunes.” Civil society has no higher end than to provide for the safety and happiness of the people, and this is best done under a system of known rules or laws that apply equally to “the Rich and Poor, . . . the Favorite at Court, and the Country Man at plough.” For his part, Montesquieu argued that only where governmental power is limited in scope, and then parceled out among different departments, will people be free from oppression. Constitutional government, for modern natural rights theorists, should be limited government dedicated to the comfortable preservation of the people—that is, to their security, freedom, and prosperity.

John Adams echoed the beliefs of many Americans when he argued that only by creating a balance of forces within the government could the people hope to escape despotism and misery. An unchecked legislature, he observed, would be capable not only of making tyrannical laws, but of

executing them in a tyrannical manner as well. In his famous draft of a constitution for the commonwealth of Massachusetts, Adams declared that the “legislative, executive and judicial power shall be placed in separate departments, to the end that it might be a government of laws, and not of men.”

This document, along with his *Defence of the Constitutions of Government of the United States of America*, containing a strong case for checks and balances in government, were well known to the delegates who attended the Constitutional Convention of 1787.



James Wilson, one of the foremost legal scholars of the founding period and a delegate from Pennsylvania at the Constitutional Convention, agreed with Adams’ insistence that the power of government should be divided to the end of advancing the peace and happiness of the

people. In the words of Wilson, “In government, the perfection of the whole depends on the balance of the parts, and the balance of the parts consists in the independent exercise of their separate powers, and, when their powers are separately exercised, then in their mutual influence and operation on one another. Each part acts and is acted upon, supports and is supported, regulates and is regulated by the rest.”

Both the Articles of Confederation and the Constitution of the United States provided for governments with limited powers. As John Jay had discovered as America’s secretary of foreign affairs, the power of the central government was severely limited under the Articles and, hence, could be trusted to a unitary legislative department. Fear of governmental tyranny and a desire to preserve the power enjoyed by the new states resulted in the creation of a central government that could not effectively oversee interstate commerce or do other things that were critical to ensuring the safety and happiness of the people. In a letter to Edmund Randolph at the end of 1786, George Washington bemoaned the “awful situation of our affairs” which he attributed to “the want of sufficient power

in the foederal head.” Washington quickly joined the movement to create a new governmental system that was equal to “the exigencies of Union,” to quote from the instructions given the delegates to the Constitutional Convention of 1787.

The Constitution of 1787 grew out of a plan drafted largely by James Madison during the winter and spring before the Convention. The “Virginia Plan” proposed a central government that was supreme over the states. Evidence that the national government was to be entrusted with considerable power could be found in the provisions for a bicameral legislature and independent executive and judicial departments.

The delegates who attended the Constitutional Convention were sufficiently versed in modern political theory to understand that they would have to divide the power of the national government if they intended to entrust it with real authority over the lives of the people and the states. They understood the dangers of imparting considerable political power to a unitary sovereign. In this connection, there was never any doubt in their minds that they should create a government of “delegated and enumerated” powers, that is, that the government should only be entrusted with specified (enumerated) powers that derived directly from the people. While they worried about the “turbulence and follies” of democracy, they recognized that government had to be based on the consent of the people to be legitimate.

The Virginia Plan anticipated the bicameral legislature and independent executive and judicial departments found in the United States Constitution today. Building on Madison’s model, the delegates assigned responsibilities to the departments based on their peculiar characteristics. The six-year term of senators, for example, seemed to make this a proper institution to involve in foreign policy (e.g., ratification of treaties) since senators would have more time than members of the House of Representatives to acquaint themselves with international affairs and their longer terms and larger constituencies (entire states) also would give them more freedom to attend to matters other than the immediate interests of constituents back home. The House of Representatives was entrusted with the important power to initiate revenue (taxation) bills precisely because the members of

this chamber are tied so closely to the people by short terms and small districts.

In addition to matching powers and governmental responsibilities, the delegates were careful to position each department to “check and balance” the other departments. Examples are the executive’s veto power, the congressional impeachment power, and the judicial review power entrusted to the Supreme Court, the only national court formally established by the Constitution. Although in good Lockean fashion the legislative department was designed to be the preeminent department, it was still subjected to checks by the other branches of the government. Separation of powers as well as the system of checks and balances were devices for reducing the threat of governmental tyranny, not excluding legislative tyranny.

However, the constitutional arrangement, put into its final wording by Gouverneur Morris, was not driven entirely by a desire to eliminate the threat of tyrannical government. The system of separated and divided powers also was intended to promote competence in government. The president can employ his veto not only to check legislative action that he considers irresponsible, but to provoke Congress to improve a legislative enactment. The Senate can use its authority to ratify presidential nominations of cabinet officers or judges to ensure that qualified candidates are named to fill these positions.

Writing in *Federalist No. 9*, Alexander Hamilton identified the principle of separated and divided powers, along with checks and balances, as among the inventions of the new science of politics that had made republican government defensible. Madison described in *Federalist No. 51* the benefits of the governmental arrangement represented in the new Constitution: “In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.” Significantly, Anti-Federalists as well as Federalists agreed that governmental powers should be limited and that these powers should be subject to internal as well as external checks.

There was never any doubt in their minds that they should create a government of “delegated and enumerated” powers . . .

It is important to emphasize that the Framers settled on an arrangement that divided yet blended the legislative, executive, and judicial powers. This facilitates interdepartmental checking while promoting mature deliberation. Their aim was to create a decent and competent democracy, something beyond mere non-tyrannical government. They placed the whole of the government, and even the people, under constitutional limitations. The Constitution is the supreme law of the land, not the enactments of Congress or the order of the president or the momentary will of the people. As Chief Justice Marshall declared in *Marbury v. Madison* (1803), “The distinction between a government with limited and unlimited powers is abolished, if those limits do not confine the persons on whom they are imposed, and if acts prohibited and acts allowed, are of equal obligation.” Even the

desires of the people are held in check by the Constitution. The political system still meets the criteria of democratic government, however, since the people hold the power, through their representatives, to amend the Constitution.

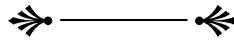
The paradigm of constitutional government embraced by the American people in 1787, that is, limited government based on the consent of the people and committed to the protection of fundamental rights, has become the dominant model throughout the world. The rhetoric of rights, whether couched in the language of natural rights or human rights, is universally appealing. Also universally accepted is the argument that rights are most secure when governmental powers are limited in scope and subject to internal and external checks.

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REPUBLICAN GOVERNMENT



As Benjamin Franklin left Philadelphia's Convention Hall in September 1787, upon the completion of the work of the Framers of the Constitution, a woman approached him and asked the old sage of the Revolution what the delegates had created. Franklin responded, "A republic, Madame, if you can keep it." The woman's reaction to Franklin's reply is left unrecorded by history, but she might well have asked Franklin for a more detailed answer. Though the word "republic" was common currency in America at the time, the meaning of the term was imprecise, encompassing various and diverse forms of government.

Broadly, a republic meant a country not governed by a king. The root of the word is the Latin, *res publica*, meaning "the public things." "The word *republic*," Thomas Paine wrote, "means the *public good*, or the good of the whole, in contradistinction to the despotic form, which makes the good of the sovereign, or of one man, the only object of the government." In a republic, the people are sovereign, delegating certain powers to the government whose duty is to look to the general welfare of society. That citizens of a republic ought to place the common good before individual self-interest was a key assumption among Americans of the eighteenth century. "Every man in a republic," proclaimed Benjamin Rush, "is public property. His time and talents—his youth—his manhood—his old age, nay more, life, all belong to his country."

Republicanism was not an American invention. In shaping their governments, Americans looked to history, first to the ancient world, and specifically to the Israel of the Old Testament, the Roman republic, and the Greek city-states. New Englanders in particular often cited the ancient state of Israel as the world's first experiment in republican government and sometimes drew a parallel between the Twelve Tribes of Israel and the thirteen American states. In 1788, while ratification of the Constitution was being debated, one Yankee preacher gave a sermon entitled, "The Republic of the Israelites an Example

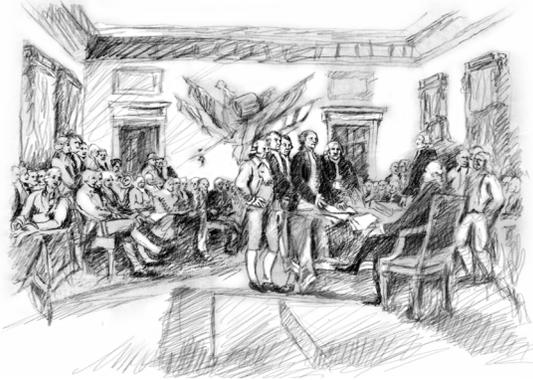
to the American States." Indeed, the Bible was cited by American authors in the eighteenth century more often than any other single source.

Americans not only knew their Bible, but also the history of the Greeks and Romans. The elite class mastered ancient languages and literature, a requirement of colleges at the time. To these men of the eighteenth century, ancient languages were not dead, nor were ancient events distant; rather, the worlds of Pericles and Polybius, Sallust and Cicero were vibrant and near. The relatively minor advancements in technology across 2,000 years—people still traveled by horse and sailing ship—

served to reinforce the bond eighteenth-century Americans felt with the ancients.

Like the Greeks and Romans of antiquity, Americans believed that government must concern itself with the character of its citizenry. Indeed, virtue was "the Soul of a republican Government," as Samuel Adams put it. Virtue had two connotations, one secular and the other sacred. The root of the word was the Latin, *vir*, meaning "man," and indeed republican virtue often referred to the display of such "manly" traits as courage and self-sacrifice for the common good. These qualities were deemed essential for a republic's survival. "A popular government," Patrick Henry proclaimed, "cannot flourish without virtue in the people." But virtue could also mean the traditional Judeo-Christian virtues, and many Americans feared that God would punish the entire nation for the sins of its people. "Without morals," Charles Carroll proclaimed, "a republic cannot subsist any length of time." New Englanders in particular sought to have society's institutions—government and schools as well as churches—inculcate such qualities as industry, frugality, temperance, and chastity in the citizenry. The Massachusetts Constitution of 1780, for example, provided for "public instructions in piety, religion, and morality."

The second ingredient of a good republic was a well-constructed government with good institutions.



“If the foundation is badly laid,” George Washington said of the American government, “the superstructure must be bad.” Americans adhered to a modified version of the idea of “mixed” government, advocated by the Greek thinker Polybius and later republican theorists. A mixed republic combined the three basic parts of society—monarchy (the one ruler), aristocracy (the rich few), and democracy (the people)—in a proper formula so that no one part could tyrannize the others. But Americans believed that the people of a republic were sovereign, so they sought to create institutions that approximated the monarchical and aristocratic elements of society. The Framers of the Constitution did just this by fashioning a single executive and a Senate once removed from the people. The problem, as John Adams pointed out in his *Thoughts on Government*, was that “the possible combinations of the powers of society are capable of innumerable variations.”

Americans had every reason to be pessimistic about their experiment in republicanism. History taught that republics were inherently unstable and vulnerable to decay. The Roman republic and the city-state of Athens, for instance, had succumbed to the temptations of empire and lost their liberty. The histories of the Florentine and Venetian republics of Renaissance Italy too had been glorious but short-lived. Theorists from the ancient Greek thinker Polybius to the seventeenth-century English radical Algernon Sidney warned that republics suffer from particular dangers that monarchies and despotisms do not. Republics were assumed to burn brightly but briefly because of their inherent instability. One element of society always usurped power and established a tyranny.

The great danger to republics, it was generally believed, stemmed from corruption, which, like virtue, had both a religious and a worldly meaning. Corruption referred, first, to the prevalence of immorality among the people. “Liberty,” Samuel Adams asserted, “will not long survive the total Extinction of Morals.”

“If the Morals of the people” were neglected, Elbridge Gerry cautioned during the crisis with England, American independence would not produce liberty but “a Slavery, far exceeding that of every other Nation.”

This kind of corruption most often resulted from avarice, the greed for material wealth. Several American colonial legislatures therefore passed

sumptuary laws, which prohibited ostentatious displays of wealth. “Luxury . . . leads to corruption,” a South Carolinian declared during the Revolutionary era, “and whoever encourages great luxury in a free state must be a bad citizen.” Another writer warned of the “ill effect of superfluous riches” on republican society. Avarice was seen as a “feminine” weakness; the lust for wealth rotted away “masculine” virtues. John Adams bemoaned “vanities, levities, and fopperies, which are real antidotes to all great, manly, and warlike virtues.”

Fear of government’s tendency to expand its power at the expense of the people’s liberty was part of Americans’ English political heritage.

The second meaning of corruption referred to placing private interest above the common good. This temptation plagued public officials most of all, who had ample opportunity to misappropriate public funds and to expand their power.

“Government was instituted for the general good,” Charles Carroll wrote, “but officers intrusted with its powers have most commonly perverted them to the selfish views of avarice and ambition.” Increasingly in the eighteenth century, Americans came to see government itself as the primary source of corruption.

Fear of government’s tendency to expand its power at the expense of the people’s liberty was part of Americans’ English political heritage. They imbibed the writings of late-seventeenth-century English radicals and eighteenth-century “country” politicians who were suspicious of the power of British officials (the “court”). Government corruption was manifested in patronage (the awarding of political office to friends), faction (the formation of parties whose interests were opposed to the common good), standing (permanent) armies, established churches, and the promotion of an elite class. Power, these country writers argued, was possessed by the government; it was aggressive and expansionist. Liberty was the property of the governed; it was sacred and delicate. The history of liberty in the world was a history of defeat by the forces of tyranny.

Though the history of republicanism was a dismal one, the lessons of history as well as their own colonial experience convinced the American Founders that they possessed sufficient information on which to base a new science of politics. “Experience must be our only guide,” John Dickinson proclaimed at the Philadelphia Convention; “reason may mislead us.” The Framers of the United States Constitution all had experience as public servants,

and it must be remembered that the document they produced did not spring forth as something entirely new in the American experience. Rather, the Founders had learned much from the operation of their colonial charters, state constitutions, and the Articles of Confederation.

At Philadelphia, the Founders focused on the proper construction of the machinery of government as the key to the building of a stable republic. The Constitution makes no mention of the need for virtue among the people, nor does it make broad appeals for self-sacrifice on behalf of the common good. It is a hard-headed document forged by practical men who had too often witnessed avarice and ambition among their peers in the state house, the courtroom, and the counting house. A good constitution, the Founders held, was the key to good government. Corruption and decay could be overcome primarily through the creation of a written constitution—something England lacked—that carefully detailed a system in which powers were separated and set in opposition to each other so that none could dominate the others.

James Madison, often called “The Father of the Constitution” because of the great influence of his ideas at Philadelphia, proposed to arrange the machinery of government in such a fashion as not to make virtue or “better motives” critical to the advancement of the common good. Acknowledging in *The Federalist Papers* that “enlightened statesmen will not always be at the helm,” Madison believed that the separate powers of government—legislative, executive, and judicial—must be set in opposition to one another, so that “ambition must be made to counteract ambition.”

“In framing a government which is to be administered by men over men,” Madison asserted, “the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”

James Wilson, representing Pennsylvania at the Philadelphia Convention, declared that the Constitution’s separation of powers and checks and balances made “it advantageous even for bad men to act for the public good.” This is not to say that the delegates believed that the republic could survive if corruption vanquished virtue in society. Madison himself emphasized the importance of republican virtue when defending the new government in *The Federalist Papers*. But the Framers

agreed with Madison that men were not angels, and most were satisfied that the Constitution, as George Washington put it, “is provided with more checks and barriers against the introduction of Tyranny . . . than any Government hitherto instituted among mortals.”

The question remained, however, whether one part of society would come to dominate. No matter how perfect the design, the danger remained that a faction would amass enough political power to take away the liberty of others. To combat this problem, classical republican theory called for creating a uniformity of opinion among the republican citizenry so that factions could not develop. The ancient Greek city-states, for example, feared anything that caused differentiation among citizens, including commerce, which tended to create inequalities of wealth and opposing interests. In contrast, Madison and the Founders recognized that factionalism would be inherent in a commercial republic that protected freedom of religion, speech, press, and assembly. They sought only to mediate the deleterious effects of faction.

Republics also were traditionally thought to be durable only when a small amount of territory was involved. The Greek city-states, the Roman republic, the Italian republics, and the American states all encompassed relatively small areas. When the Roman republic expanded in its quest for empire, tyranny was the result. Madison turned this traditional thinking on its head in *The Federalist Papers*, arguing that a large republic was more conducive to liberty because it encompassed so many interests that no single one, or combination of several, could gain control of the government.

Not all Americans accepted the Madisonian solution. Agrarians, such as Thomas Jefferson, were uncomfortable with the idea of a commercial republic centered on industry and sought to perpetuate a nation of independent farmers through the expansion of the frontier. Though uneasy about the “energetic government” created by the Constitution, Jefferson endorsed the Framers’ work after a bill of rights was added to the document. “Old republicans” like Samuel Adams and George Mason opposed the Constitution, even after the addition of a bill of rights, fearing that the power granted to the central government was too great and wistfully looking back to the Revolutionary era when virtue, not ambition, was the animating principle of government. But in 1789, as the new government went into operation,

[The Constitution] is a hard-headed document forged by practical men who had too often witnessed avarice and ambition among their peers.

most Americans shared the optimism of Benjamin Franklin, who had decided at the conclusion of the Philadelphia Convention that the sun carved into the back of the chair used by George Washington was a rising—not a setting—sun, and thereby indicative of the bright prospects of the nation.

“We have it in our power to begin the world over again,” Thomas Paine had written in 1776, during the heady days of American independence. And indeed the American Founders in 1787 were keenly aware that they possessed a rare opportunity.

Like the legendary Lycurgus of Ancient Greece, they were to be the supreme lawgivers of a new republic, a *novus ordo seclorum* or new order of the ages. The American Founders were aware that the eyes of the world and future generations were upon them, and they were determined to build an eternal republic founded in liberty, a shining city upon a hill, as an example to all nations for all time.

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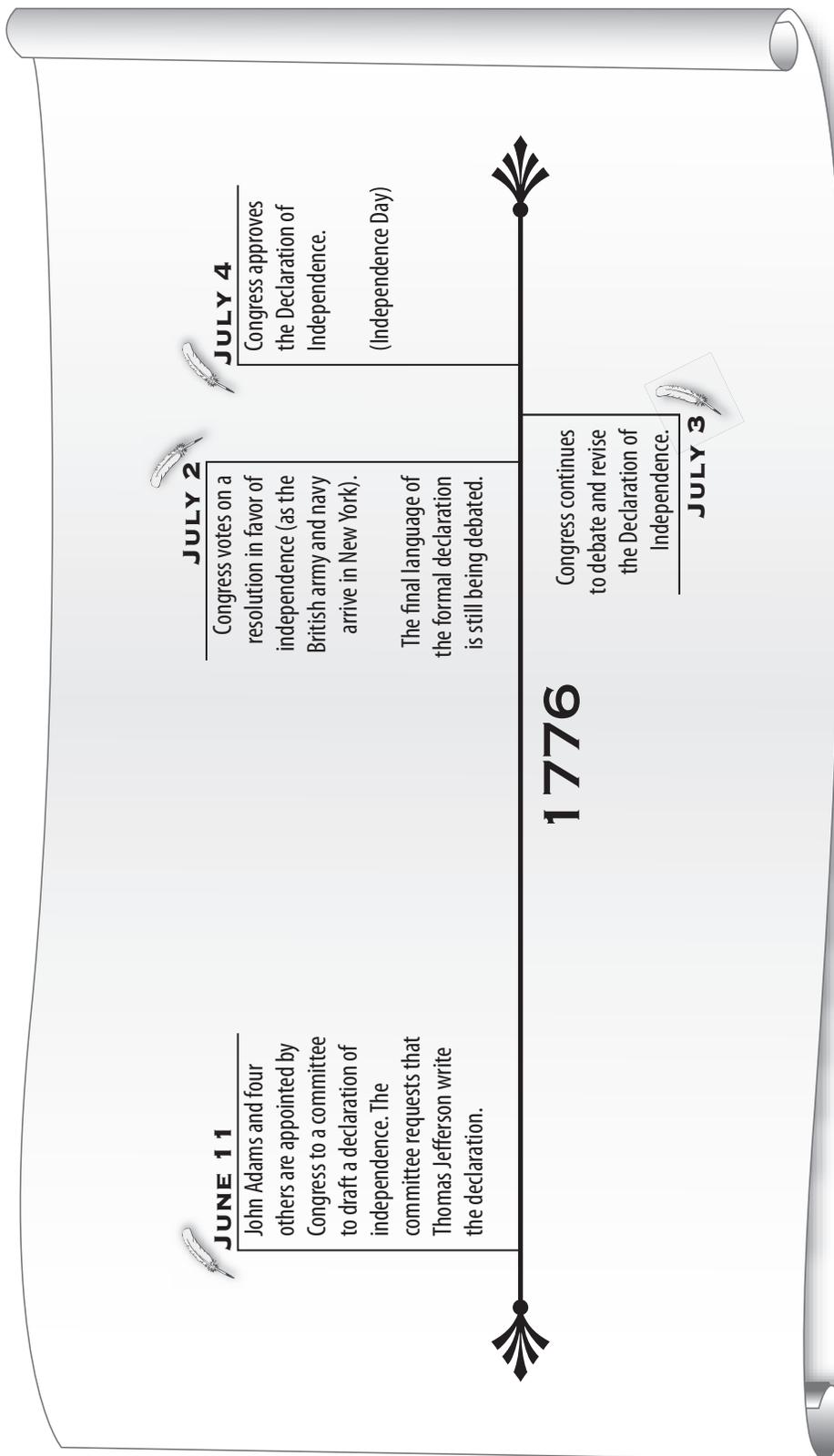
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INDEPENDENCE TIMELINE



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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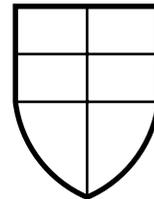
Suggestions for Further Reading

- 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>. 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.

- 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.
- 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>
 - 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

- 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.
- 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.
- 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.
- 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.
- “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

JOHN ADAMS

Handout A—John Adams

(1735–1826)

1. Adams played a leading role in the First Continental Congress, serving on ninety committees and chairing twenty-five of these. An early advocate of independence from Great Britain, in 1776 he penned his *Thoughts on Government*, describing how government should be arranged. He headed the committee charged with writing the Declaration of Independence. He served on the commission that negotiated the Treaty of Paris, which ended the Revolutionary War.
2. Adams was not present at the Constitutional Convention. However, while serving as an American diplomat in London, he followed the proceedings. Adams and Jefferson urged Congress to yield to the Anti-Federalist demand for the Bill of Rights as a condition for ratifying the proposed Constitution.
3. The Alien and Sedition Acts gave the government the authority to deport aliens, to lengthen the period of naturalization for immigrants, and to jail citizens who expressed opinions critical of the government. The Alien and Sedition Acts were meant to quell support for France and to silence Republican criticism of the government.
4. Some students may not deem Adams's accomplishments to be on par with those of George Washington or Thomas Jefferson. Others may argue that Adams's approval of the Alien and Sedition Acts constitutes a black mark on his record that makes him undeserving of the honor of a monument. Still other students will argue that Adams deserves a monument because his contributions to American independence and to the formation of the American government were on par with his more famous

contemporaries. These students may point out that Adams penned defenses of American rights in the 1770s and was one of the earliest advocates of colonial independence from Great Britain. They may also mention that his authorship of the Massachusetts Constitution and Declaration of Rights of 1780 makes him a champion of individual liberty.

5. Some students may suggest that government may limit speech when the public safety requires it. Others may suggest that offensive or obscene speech may be restricted. Still other students will argue against any limitations on freedom of speech.

Handout B—Vocabulary and Context Questions

1. Vocabulary

- a. disagreed
- b. caused
- c. until now
- d. beginning
- e. struggles
- f. remember
- g. foolishness
- h. separated
- i. crises
- j. suffering
- k. corruption
- l. doubts
- m. God's care
- n. era

2. Context

- a. John Adams wrote these documents.
- b. These documents were written on July 3, 1776.
- c. These are private letters to Adams's wife, Abigail.
- d. John Adams wrote these documents to share his thoughts and feelings with his wife, and perhaps for posterity's sake.

ANSWER KEY

Handout D—Discussion Guide

1. Adams is referring to the Congress's resolution to declare independence from Britain.
2. He mentions Otis's argument against writs of assistance as the beginning point of the American Revolution, the resolution for independence being the culmination.
3. Adams predicts that July 2 will be celebrated as the anniversary festival (or Independence Day).
4. Suggested responses: humbled, cautious, content, proud, or satisfied
5. Suggested responses: jubilant, happy, enthusiastic, pleased, or realistic
6. Adams believes there will be challenges ahead. He expects that it will require sacrifice and hard work to maintain what they have just created. But he welcomes the struggle and believes the new nation will be stronger for it.
7. Adams means that suffering builds character in people as well as in nations. The struggles each individual will face, either as a soldier, elected office-holder, or citizen will mirror the struggles the new nation will face. Both will be stronger—as a furnace or kiln refines and strengthens a piece of pottery.
8. Students should provide evidence for their reasoning. Letter A was written in the morning of July 3, 1776 and Letter B in the evening of July 3, 1776.
9. Private letters, particularly those written to intimates, may be likely to reveal an individual's true feelings more than something produced for public display. Other students will say that elected officials, as John Adams was when he wrote these letters, are more likely to reveal vulnerabilities and doubts about public policy when they are writing private letters. Some students may suggest that personal writings may also be written for posterity.

SAMUEL ADAMS

Handout A—Samuel Adams (1722–1803)

1. Adams began to study law but soon turned to a career in business instead. He worked for a time as a clerk for a well-known Boston merchant. When Adams's father died in 1748, he took over the family brewery. But Adams was a poor manager, and the brewery went bankrupt. Adams next took a job as a colonial tax collector, but he failed in this position too.
2. Adams appealed to both natural and English rights. In "Resolutions of the Boston Town Meeting," he argued that the law of nature dictated that "no law of the society can be binding on any individual without his consent." The colonists of Massachusetts, Adams held, were not represented in Parliament. Therefore, the British government could not tax them. In "The Rights of the Colonists," Adams claimed that the American colonists were "entitled, to all the natural, essential, inherent, and inseparable rights, liberties, and privileges of subjects born in Great Britain."
3. Adams signed the Declaration of Independence and the Articles of Confederation and helped to write the Massachusetts Constitution of 1780.
4. Adams hoped that the country would forever be an "asylum on earth for civil and religious liberty" and "never cease to be free and independent." He hoped that "Temperance," "Frugality," and the old republican spirit of virtuous self-sacrifice for the common good would characterize American society.
5. During the 1760s, Adams became a leader of the Patriot resistance to the British government's attempt to tax the American colonies. With John Hancock and James Otis, he organized the Sons of Liberty, who took the lead in opposing the Stamp Act of 1765 and the