

PART I

A Revolutionary Experiment: 1620–1800

THE UNIQUE experiment that began in England's American colonies in the seventeenth and eighteenth centuries, culminating in the founding of the United States of America, forever changed the modern world. This revolutionary experiment had its roots in English history and politics, in the broader European Enlightenment, and in the practices of Native American peoples such as the Iroquois. The American democratic experiment required two centuries of fermentation, an anticolonial war against England, and an ingenious political compromise known as the U.S. Constitution. What the Founders gave the world in 1787 was as much a promise as a reality, for it contained not only the seeds of democracy but also limits to the full flowering of those seeds. One of these limitations, a long-term tendency that has come to be known as partisan gridlock in the context of political polarization, was built into the ingenious institutional compromise itself, for the U.S. federalist system of checks and balances allows partisan interests to stymie the development of coherent national policies.

In retrospect, the American Revolution jump-started modernity toward a system of democratic governance based on the principles of popular sovereignty and political equality. In practice, however, the citizens of the new republic of 1787 were primarily propertied white men, and most Americans did not participate in ratifying the Constitution. Thus the very foundations of U.S. government contained political tensions that persist today—between theoretical equality and actual inequality, between theoretical rule of the people and actual rule of elites. These tensions, and their underlying social conflicts, help to explain how, in the eyes of the world, the United States over the next two centuries became both a beacon of hope and a target of criticism. The tensions also serve to explain why the questions “What are our American fundamentals?” and “What is my personal political identity?” remain as fresh and vital today as they were when the colonies split from Great Britain in 1776.

Indeed, the contradictions of American democracy have spurred changes that have challenged and redefined Americans' political identities. Political dissatisfaction led Americans to draw up the Albany Plan of Union in 1754, to declare independence from England in 1776 (see selection 9), to adopt Articles of Confederation in 1781 (see selection 10), to replace the articles with the Constitution in 1787 (see selection 12), and to add a Bill of Rights by 1791 (see selection 12). The selections included in Part I run the gamut from the highly egalitarian and democratic Iroquois Confederacy (see selection 5) and rabble rouser Thomas Paine (see selection 8), through the slaveholding but left-leaning Thomas Jefferson (see selection 16) and the abolitionist doctor Benjamin Rush (see selection 7), to the frankly elitist (though also antislavery) Alexander Hamilton (see selection 15). Four famous Protestant ministers (see selections 1–4) reflect respectively the authoritarian, tolerant, democratic, and revolutionary tendencies within the church.

The anti-Federalists (see selection 14), who were on the losing side in 1787, anticipate the later arguments of the tea party, which has contributed to increasing partisan gridlock during the presidency of Barack Obama. Many of the thinkers represented in Part I, like those throughout the book, played important roles in the development of the U.S. political system. These Founders of the American republic believed that ideas can make a difference in the life of a nation and in the fates of its citizens.

The American colonies began as distinctive fragments of England, outposts of English society in a new and distant environment. The American colonists were affected by the native peoples they encountered, yet the English experience also helped to form colonial ideas and practices. In some respects, in the early colonial period, events in England had a greater effect on colonial thought than did local American developments, and events in England retained a substantial impact long after the Revolution. Gradually, however, the distinctive conditions, experience, and interests of the colonial experience gave greater autonomy to the forces that shaped American beliefs.

By the 1760s, basic American political concepts, definitions, and practices were different enough to enable an unlikely American coalition to provoke an inept British administration into fateful and self-defeating actions. Historically, arbitrary British authority had caused the English people to resist, and the American colonials were no exception. The conflict launched the American republic, which departed from the English tradition while billing itself as the renewal and extension of those very principles. Thus the Founders set an example for dissident movements over the next two centuries. To succeed in changing the system, the Founders realized they would need to show how their proposed changes would bring Americans closer to their own cultural and political foundations.

Colonization and Commonwealth

In fifteenth- and sixteenth-century Europe, the individualism of the Protestant Reformation profoundly undermined both church and society. The Bohemian Jan Hus, the German Martin Luther, and the Frenchman John Calvin triggered religious rebellions that quickly became political. Protesting Catholic Church dogma and hierarchy, the Protestant dissidents implicitly challenged all arbitrary authority. In crossing the Channel to England, the Reformation originated political thought that became distinctively American.

The key link was the sixteenth-century clash between a decaying Anglican feudalism and the spreading consequences of the English Reformation. The Anglican Church, though it had broken away from the Roman Catholic Church in King Henry VIII's time, remained, like the Catholic Church, a vast hierarchy, dominated by its archbishops and their relations to the monarchy. Visibly opportunistic and often corrupt, the Church of England clung to familiar rituals and resisted change. In all these characteristics it resembled the feudal order it supported. The relatively few landed aristocrats administered their vast manors and ruled the serfs and peasants, who had no alternative but to work the land, pay taxes, and serve their lords. In this rigid social order, kings and queens maintained the fiction of the divine right of monarchs while in practice granting the concessions and favors necessary to preserve the loyalty of the majority of the nobles.

Protestant individualism converged with the interests of a growing middle class of merchants, tradespeople, professionals, and artisans. The moralistic, purifying urge of the Reformation found vulnerable targets throughout the domain of the established church, and the principle of "the priesthood of all believers" encouraged ready challenge by local ministers and laity to the church's efforts to assert its authority. This new

principle of individualism carried political potency as well, providing a wholly different basis for thinking about the nature of society. Instead of starting from the premise of an organic whole that assigned stations and obligations to people and demanded their loyalty and obedience, people would in time come to think of themselves as independent individuals with rights that came before the interests of society—which was, after all, only an aggregate of many similar individuals.

The rise of individualism would have been far less dynamic and powerful without the momentum provided by economic interests. Growing opportunities to produce and sell, to explore and trade, and to finance and facilitate all of these activities were generating an entirely new class. Contracting individuals undertook these activities individually or in joint ventures, and they had no conceptual place in feudalism's simpler, stabler world. Moreover, commercial activity depended on a new kind of profit and property, which had to be protected against king and aristocrats from above and serfs and peasants from below.

One of the early products of this long, slow, and largely unrecognized process was the development of a reform movement within the Anglican Church known as Puritanism. Drawing support from those who wanted a more direct relationship between God and everyday life as Christians, Puritans challenged many aspects of church hierarchy, doctrine, and practice. The reform movement contained groups of varying views, ranging from those who merely sought limited reforms within the Anglican Church, to Separatists who felt that removal from the church was the only purifying remedy, to advocates of entirely new doctrines emphasizing even greater individual responsibility (e.g., Seekers and Quakers such as William Penn).

A related development was the entrepreneurial spirit that led adventurers, financiers, and ultimately a variety of Puritan dissenters to join in forming fishing and trading companies

to establish settlements on the North American continent. The Plymouth Company began explorations in 1606, but the Plymouth colony itself was founded by Separatists (Pilgrims) in 1620. A majority of the 101 persons aboard the *Mayflower* were not Pilgrims, but the Pilgrim leaders ("saints") arranged for governance ashore on their covenant principle, and forty-one adults signed what is now known as the Mayflower Compact.

Other trading companies and individuals also received royal charters and grants for settlement and commercial development of various sectors of the lands claimed by England, but the Massachusetts Bay Company organized the next major emigration in 1630. Its charter omitted mention of a place for holding the annual meeting, and the twelve orthodox Puritans who led the emigrating group seized on this oversight to convert the company into a self-governing commonwealth along the Massachusetts coast north of Plymouth. As the Anglican Church, under the leadership of reactionary Bishop Laud, increased pressure to conform to its doctrines, life became difficult for Puritans in England. Between 1630 and 1640, about 20,000 of them resettled at Massachusetts Bay and the inland communities associated with it. With them came a diversity of theological viewpoints and the beginnings of the discord and intellectual ferment that made the New England colonies the primary source of new ideas on social and political organization on the continent.

By contrast with the aristocratic Anglican social order, the new Puritan commonwealth was middle-class and individualistic. But the commonwealth was also a hierarchical system in which church and state were integrated, and God's laws and expectations were administered by magistrates under the direction of an oligarchy of elders. Neither magistrates nor elders saw themselves as rulers in any arbitrary sense, however; rather, they were the stewards of the society, chosen by God (and identified by worldly

talents) to represent God and work for the salvation of the souls entrusted to their care. The society they served was an organic community with a shared commitment to establishing a new life of mutual dependence and assistance in achieving the goals of Christianity.

These American Puritans were convinced that they were creating principles and practices that would be a model for the world, a self-conception that has long characterized American thought. The responsibility could be painful, as the experience of John Winthrop, the leading civil magistrate of the first two decades, clearly shows (see selection 1). Winthrop was continually forced to defend himself and his office against the challenges of independently minded freeholders, but he accepted this challenge as part of the struggle to do God's work on earth. In the process, Winthrop articulated a defense of the necessity of rule by a few that stands out as a landmark of sincere conservatism, just as Congregationalist minister Jonathan Mayhew a century later used the same Christian Bible to justify rebellion against tyranny (selection 4).

The cohesion of the Puritan commonwealth began to be undermined almost from the beginning, in part because of the inherent individualism of the commonwealth and in part because of decisions made by the Puritans themselves. The religious doctrine of individual salvation in Protestantism could not long support a theocracy run entirely from above, despite the assertions of John Calvin and his Presbyterian branch of Protestantism to the contrary. Martin Luther's "priesthood of all believers" gave too much responsibility to the lowest echelons, and there were too many issues on which conflicting views could arise. Moreover, the Puritans accepted the covenant principle in effect among the Separatists in Plymouth. This meant that each church was constituted by a new covenant among the freemen of its congregation, and as colonization spread, such decentralized units multiplied; in

their isolation, doctrinal and other differences also increased. In addition, the Puritans allowed individuals to hold and transfer land, thus giving an economic base to the independence already inherent in Puritan individualism and spurring on the decentralization and covenanting in church governance that ultimately became known as Congregationalism.

Outspoken opposition to the Puritan orthodoxy came from those who held deviant religious doctrines and used the individualist and covenant principles in their defense, as well as from those who believed first in individual autonomy and the right to democratic self-government. The two stances often fused in the same thinkers and leaders, often causing bitter arguments and new settlements. Thomas Hooker, for example, left Massachusetts Bay in 1636 to found settlements in Connecticut that would be more fully grounded in control by individual free people.

The most creative and outspoken opponent of the Puritan oligarchy, however, was Roger Williams (see selection 2), who argued for the utter freedom of the individual mind to seek and know God and was accordingly banished from Massachusetts Bay in 1636. Such freedom required religious toleration and individual rights of conscience and free speech, all of which became fundamental components of the communities that Williams and others established in Rhode Island. These basic rights were essential to the democratic political vision that Williams held, in which all people equally participated in creating a self-governing community.

For Williams, but for no other contemporary colonial leader, sovereignty lay with the people, a democratic principle that had been practiced for centuries by the nearby Iroquois Confederacy. In Williams's view, the people created the state to serve their needs and preserve their individual rights. His close ties with American Indians provided real-world examples of government by consent of the governed.

The church, in Williams's view, was nothing more than a corporation granted existence by the entirely separate and superior state, and it had no claim to exercise authority over any but its own freely consenting members. Moreover, Williams did not hesitate to press his subversive arguments on the resentful theocrats of Massachusetts Bay.

In England, 1641 to 1660 was the period of the "Long Parliament," the Civil Wars, and the Commonwealth under Oliver Cromwell. American Puritan sympathies naturally lay with their counterpart English thinkers who fought against the royalists, though not with the various independent breakaway sects that generated democratic and egalitarian ideas in the process. For Massachusetts Bay this period represented an opportunity to declare its independence from British control and to redouble efforts to enforce religious conformity. When King Charles II was restored to the English throne, however, the New England colonies became especially vulnerable.

The Commonwealth period, though short-lived, nevertheless gave rise to some creative thinking about the nature of political and social order in England. Two thinkers in particular influenced current and future generations of Americans. One was Thomas Hobbes. In his 1651 *Leviathan*, Hobbes accounted for the rise of the state and the king not by the familiar divine-right theory but by positing a prior "state of nature" in which unalterably self-interested individuals fought a "war of all against all" and in which life was "solitary, poor, nasty, brutish, and short." In these circumstances people welcomed—and indeed collectively created—a sovereign who could establish order and to whom they would pledge their obedience as long as the sovereign government continued to maintain order.

The immediate impression, and probably the intention, of *Leviathan* was to argue on behalf of royal absolutism. But for Hobbes, unlike divine-right theorist Robert Filmer,

obedience to the sovereign was built on individualistic and rational grounds, not on organic, religious, or any other traditional bases. Along with this troubling individualism came the dangerous implication that the sovereign was owed loyalty only so long as he was able to enforce its will. What would prevent a collection of calculating individuals, who had constructed the state for entirely selfish reasons, from bailing out if the going got tough? American Founders such as James Madison and Alexander Hamilton used Hobbes's pessimistic view of human nature as a premise for designing political institutions that could check and balance antisocial human impulses. Hobbes's work helped to shift the focus of political thinking toward the individual and to make the nature of the individual a crucial dividing line between conservatives, liberals, and radical democrats.

The second major thinker of this period was James Harrington, whose ostensibly utopian *Commonwealth of Oceana* was published in 1656. *Oceana* was in fact a classic call for institutional reform. Harrington's reputation was, in seventeenth-century America, second only to that of John Locke (see next), for it was from Harrington that the colonists derived understanding of, among other things, the economic basis of political power, the importance of the secret ballot, and rotation of offices. From both the Iroquois Great Law of Peace and Harrington's *Oceana*, colonists learned the value of a written constitution. Harrington, a thorough republican, dedicated his book to Oliver Cromwell in hopes that it would provide the basis for a lasting popular government. *Oceana* provided an entire system of social, economic, and political order grounded in the principle of equality and thus was too advanced for Cromwell and his supporters. Not surprisingly, Harrington was imprisoned soon after the Restoration and spent the last sixteen years of his life in the Tower of London. But his approach to politics as a science and his principle of the "balance of

property” necessary to maintain a stable state were later carried forward by such careful students of his work as Alexander Hamilton and John Adams (see selection 11).

From the Restoration to the Great Awakening

By the time of the restoration of King Charles II in 1660, the Massachusetts Bay Colony had enjoyed virtual political independence for a full generation. The only continuing connections with England had been commercial, religious, and informal—with almost no attempt made by the mother country to assert governmental oversight. However, royal interest in the colonies renewed with reports of religious discrimination and coercion, combined with the growing economic importance of New England. Royal agents issued orders for religious toleration, and new commercial regulations soon followed. Royal investigators were dispatched to find out what was happening in the governments of New England. After protracted efforts to get Massachusetts Bay to comply with the Navigation Acts, accept royal standards of religious toleration, acknowledge appeals to the Privy Council, and take the oath of allegiance to the Crown, the charter for the Massachusetts Bay Colony was finally annulled in 1684.

Massachusetts was now to be governed as a royal colony and a part of the Dominion of New England. Sir Edmund Andros, appointed governor in 1686, swiftly proceeded to assert political and economic control within his administration. His actions were so grossly provocative that Bostonians, seizing the opportunity provided by the Glorious Revolution of 1688 in England, forcibly removed him from office and jailed him until their pleas resulted in his official removal to London for trial. Subsequently, royal governors were more cautious, and, at least initially,

more effective in gaining real political leverage in Massachusetts.

The Glorious Revolution was more than a shift from one line of kings to another; it marked the transfer of effective sovereign power from the monarchy to Parliament and necessarily served as a watershed in political thought. Parliament by this time included not only the large landholders and titled families of Britain but also some of the new gentry in the House of Commons. By forcing the Stuart kings from the throne and replacing them with William of Orange, Parliament made clear its supremacy, at least in moments of crisis. Republicanism was not necessarily implied, for the aristocratic oligarchy held firmly to its post-feudal social order and prerogatives. But Parliament’s actions contradicted the old idea of the divine right of kings, promoted by Robert Filmer, and seemed to call for some new justification for the authority of the state.

In his *Second Treatise of Government*, started in 1679 and published in 1690, John Locke refuted Filmer and provided a justification both for revolution against tyranny and for a legitimate government that would protect citizens’ natural rights to life, liberty, and property. During the 1680s, the Englishman Locke found himself in grave danger of Harrington’s fate (or worse) and even went into European exile, both because of his writings and because of his close friendship with the powerful anti-Stuart first Earl of Shaftesbury. Because Locke feared publishing his revolutionary work and did not do so until after the Revolution of 1688, many scholars have concluded that his sole purpose was to justify the new, more liberal reign of King William rather than to challenge the more conservative regime of the prior Stuart monarchy. In fact, as Peter Laslett has shown,¹ Locke intended to do both. In writing the U.S. Declaration of Independence, Thomas Jefferson

1. John Locke, *Two Treatises of Government*, ed. Peter Laslett (New York: Cambridge University Press, 1963).

borrowed materially from Locke's *Second Treatise*. But James Madison and other Federalists were also heavily influenced by Locke when they built into the U.S. Constitution various protections of private property.

Locke merged Hobbes's premises of individualism and the state of nature with Harrington's emphasis on property and formal egalitarianism to form a complete vision of the origins and nature of government, which has dominated American thinking to the present day. Less pessimistic about human nature than Hobbes, Locke saw people as capable of knowing the rights (life, liberty, property) that were theirs by natural law through the exercise of their "right reason." In the original state of nature, however, enforcement of these rights would be "inconvenient," because it would be carried out by private, inherently biased parties. Government was therefore instituted by a contract among all individuals (who were equal participants and thus equally obligated to obey) to protect the natural rights of all. When government failed to do so, the majority had the further right to replace it with a government that would.

In socioeconomic matters, Locke's blend of egalitarian and propertarian thinking recurs in many American political thinkers and practitioners. Locke justified property ownership on the grounds that mixing the labor of one's body (or one's servant's body) with the fruits of the earth rightfully conferred possession on the laborer. He also recognized the danger of excessive accumulations of landed property by cautioning that the laborer must leave "enough and as good" land for others to work and must not accumulate so much produce that it would spoil. How, then, was Locke to justify the great and growing wealth of his friends among the Whig gentry, including his famous patron, Shaftesbury? First, by substituting money for goods, people could acquire unlimited wealth without spoilage. Second, argued Locke, by voluntarily using money, citizens had tacitly

consented to money's consequence, the "disproportionate and unequal possession of the earth."

In political matters, Locke's balance of revolutionary and conservative principles made his ideas more widely accepted among educated Americans of the eighteenth century than they had been in the conflicted England of a century earlier. Locke made it clear that the equality he endorsed was not "equality of all sorts," and in the *Second Treatise of Government* he never proposed extending the franchise to women, slaves, or poor people. Locke assumed that the consent of the governed would occur through that class of citizens who were most knowledgeable, most invested in society, and most likely to embrace "responsible" political ideas—a view that would be reflected a century later in *The Federalist Papers* of Madison, Hamilton, and Jay (see selection 13). By contrast, the Iroquois, whom historian Bruce Johansen has called the "forgotten founders" of the U.S. system of government, made all citizens political participants and prohibited accumulations of wealth from being translated into unequal political power. Some of the most egalitarian and democratic of the U.S. revolutionaries—especially Benjamin Franklin, Thomas Jefferson, and Thomas Paine—were those best acquainted with Iroquois political thought and practices (see selection 5).

What perhaps engaged Locke's concern the most was protecting property, and his solution was to combine making property holders the effective legislative power with limiting the powers of all governments by making them subject to the prior natural rights (including property rights) of individuals. Locke's concept of property was inclusive and started with a person's body, the liberty to use that body, and the fruits of the body's labor and reaching to the material goods and money ultimately acquired through a person's efforts. Personal liberties

and protections for material property were thus integrated in the single concept of “property,” by which Locke meant “life, liberty, and estate.” In the Declaration of Independence (see selection 9), the more radical Thomas Jefferson changed Locke’s formula to “life, liberty, and the pursuit of happiness”—a controversial change agreed upon after much discussion among Jefferson, Franklin, John Adams, and other rebels.

In effect, Locke erected a network of defenses for the new middle class of merchants, financiers, artisans, and professionals who were already consolidating the gains made in the second half of the seventeenth century. Quite naturally his system would seem far more appropriate and appealing on the American continent than it would to the still-dominant aristocratic rulers of England.

The idea of natural rights found in natural law and existing as a “higher law” prior to the power of governments was not new. It had always been appealed to whenever there was no other basis on which the actions of rulers could be constrained or impugned. But the alliance of kings, who asserted their authority by means of divine right, with a church that claimed power to interpret the natural law (as God’s law) and used it to concur in the king’s entitlement had reduced the potency of the idea of natural rights in recent centuries. Natural rights had been kept alive chiefly in the writings of scholars of international law, who needed some external source for the rules or practices that nations should follow in their relations with one another. Locke’s writings were thus a leading, but not the only, means by which the concepts of higher law and natural rights reached the mainstream of American thought.

As evidence of this last point and as reaffirmation of the crucial part played by the struggle over church government on the American continent, we turn to the writings of the Congregationalist minister John Wise.

As minister of a rural church, Wise led town resistance to the taxes imposed by Governor Andros, and he was imprisoned, thus achieving general renown. His major writings, however, addressed the issue of how the churches were to be governed: by the decisions of the oligarchy of elders, using the Presbyterian model, or in decentralized, popularly controlled ways according to the Congregationalist model? In the early eighteenth century, the leading Boston ministers Increase and Cotton Mather led a campaign to restore central control of church doctrine and practices, much in the manner of the royal efforts to centralize management of the colonies. Although their campaign had already faltered and had largely been discredited, Wise used the occasion to introduce a major political argument in the guise of a response.

In his *Vindication of the Government of the New England Churches* (1717), Wise justified covenant Congregationalism by using the analogy of democratic civil government, which he interpreted from authoritative scripture as God’s preferred form of government (see selection 3). Drawing on international-law sources (in part because he apparently did not know Locke), Wise introduced the idea of natural rights on behalf of popularly controlled civil and church government. His work met with wide popular support at the time, so much so that it was reprinted in 1772 amid the rising tempo of the pre-revolutionary debates.

Clearly the Massachusetts Bay oligarchy was losing its power in the early eighteenth century. New waves of immigration were assuring diversity in New England as in the rest of the colonies. By the early 1750s, tens of thousands of new immigrants, mostly German and Scotch-Irish, would be clearing and settling the back country from Massachusetts and New York on down the Appalachians to the Carolinas. Relatively progressive governments had been established in Pennsylvania and New

Jersey under Quaker auspices, and the plantation colonies were under firm local control. Political and religious controversies were eclipsed in this period by the rise of merchants and traders, whose entrepreneurial needs and efforts gave the times a comparative stability and quiet.

But even if the issues of governance and toleration had been settled by the passage of time, religious motivations remained strong. As a kind of preview of the role that moralistic and fundamentalist spirit would play throughout American history, the first “Great Awakening” occurred in the middle of the eighteenth century. Revivalist ministers, many of them itinerants, called for restoration of personal and public morality, demanded purification of the church, and redoubled efforts toward individual salvation. They met with enthusiastic popular response, chiefly in the more rural backcountry, and several denominations experienced schisms or splits between rationalist conservatives and their more mystical and intuitive opponents. Mother Ann Lee’s Shaker (or “Shaking Quaker”) movement provided a cooperative and celibate alternative for widows, orphans, and the poor in over two dozen communities that thrived for the next century, with some surviving well into the twentieth century. A general deepening of popular resistance to authority, particularly as associated with eastern urban centers, was the political result.

Another factor entering the evolving stream of colonial thought in this period was colonists’ growing cultural awareness of American Indians, and, particularly in the northern colonies, of the Iroquois governing practices. European philosophers such as Hobbes, Locke, and Rousseau had noted the relatively egalitarian and democratic governments of the North American “savages.” In the confederated nations of the Iroquois, chiefs and sachems governed by consent of the governed (in practice, by consent of the clan mothers), a key democratic principle

known to Europeans only in books of political philosophy.

In Iroquois society, the leaders were men, but the voters were women. Even children’s voices were heard and respected in the councils of the longhouse. Rank-and-file citizens could initiate proposals for new policies, and the clan mothers could recall ineffective or corrupt leaders—two features foreshadowing the Progressive Era reforms of the early twentieth century. The Iroquois also practiced religious tolerance, and racial differences were no barrier to citizenship among them, as evidenced by their adoption of numerous European Americans.

Iroquois leaders were expected to use any wealth they had accumulated to help the needy. In governing, they were expected to consider the effects of their policies on the next seven generations. As precursors of the modern environmental movement, American Indians felt a spiritual connection and obligation to the natural world on which they depended. This view contrasted with that of Christian colonists, who followed the biblical commandment to “go forth and subdue the earth” to fulfill human needs. In contrast with the European hierarchical worldview of God on top—followed in order by men, women, children, animals, and the rest of nature—American Indians viewed all of creation as an endlessly connected circle of mutual interdependence.

The most immediate influence of the Iroquois model on the U.S. Founders was probably its confederation of five (later six) formerly warring nations and the governing system of checks and balances set up among them. Under the “Great Law of Peace of the Iroquois Nations” (see selection 5), the Iroquois had ended centuries of warfare—their own version of polarization and partisan gridlock—by creating a confederal structure strikingly similar to the one that would evolve among the American colonies during the eighteenth century. Under this system, which was

studied carefully by Franklin, Paine, Jefferson, and John Adams, the “Elder Brothers” (Mohawk and Seneca nations) would typically initiate legislation, which would then be passed on to the “Younger Brothers” (Oneida and Cayuga), before being submitted for final approval to the “Firekeeper” (Onondaga). If the Onondaga vetoed the proposed legislation, it would go back to the Mohawk and Seneca for reconsideration. Proposals that passed this multistep muster could still be voided by vote of the clan mothers, serving as a sort of supreme court.

During the eighteenth century, the colonists engaged in repeated diplomatic exchanges with the Iroquois Confederacy in the interest of trade and consistently strove to keep the Iroquois from allying with the French. As a result, many colonial leaders became increasingly familiar with the Iroquois model of confederal government (the “Six Nations”) and were aware as well of the Indians’ repeated suggestions that the colonies unify enough to be able to make and enforce treaties. Benjamin Franklin was particularly conversant with the Indians’ practices, frequently attending their councils, learning their languages, and publishing their treaty proceedings. His “Albany Plan of Union” (see selection 5) was at least partially inspired by that experience, and it provided a first step toward confederation and, later, a federation of the new United States.

From a longer historical perspective, the United States, periodically pressured by popular movements for reform, has taken two centuries to incorporate some of the more egalitarian, democratic, and ecological features of the Iroquois system, including religious tolerance, women’s right to vote, citizens’ initiative and recall, a public safety net for the disadvantaged, racial equality, and legal protection of the natural environment. Some scholars view the similarities between Iroquois and U.S. thought and practice as largely coincidental, while others, notably Donald Grinde and

Bruce Johansen, see important lines of influence. How powerfully the Iroquois experience has affected American ideas and institutions remains controversial, but it certainly was not an insignificant factor.

The Pre-Revolutionary Period

The relative calm of the first half of the eighteenth century concealed some profound changes at the cultural level of politics. Values, concepts, and definitions were becoming more distinctively American. The colonies’ development was taking a separate course from that of England—in historian Vernon L. Parrington’s words, “an American mind had been created by the silent pressure of environment.”² Indeed, part of Grinde and Johansen’s argument for an American Indian influence on the colonies was simply that from the beginning, the colonists were surrounded by, depended on, and interacted with Indian peoples.³

When asked when the Revolution had actually started, John Adams later responded that “the revolution was effected before the war commenced. The revolution was in the minds and hearts of the people.”⁴ The early selections have identified many of the sources of this process; what remains is to see how the events and mutual provocations of the 1760s revealed the transformation that had already occurred and then brought matters to the boiling point of 1776.

The history of British efforts to get Americans to pay part of the costs of the

2. Vernon L. Parrington, *Main Currents in American Thought*, vol. I (New York: Harcourt, Brace, 1927), 180.

3. Donald A. Grinde Jr. and Bruce E. Johansen, *Exemplar of Liberty: Native America and the Evolution of Democracy* (Los Angeles: American Indian Studies Center, UCLA, 1991).

4. John Adams, “Letter to Mr. Niles,” January 14, 1818.

French and Indian War and of British military defense and civil administration of the colonies is too well known to require recounting. Less well understood perhaps are the colonists' legal and constitutional arguments and the implications of the arguments for subsequent American thinking.

The first appeal by Americans was to the British legal tradition, which Americans had endowed with special grandeur as the source and sustainer of the liberties of free people. The context was set by such 1764 policies as vigorous enforcement of customs collections and the effective annulment of colonial currency, which resulted in deflation and economic hardship. But the constitutional issue was joined with the issues raised by the Stamp Act of 1765, the first occasion on which Parliament had ever directly taxed the colonies. The tax was imposed on all newspapers, pamphlets, legal documents, insurance policies, licenses, and playing cards, and the colonists viewed it as only the first of many such revenue-raising efforts. Although the act was later repealed, in part because of colonial remonstrance and refusal to import British goods, Parliament followed with a declaratory act asserting its power over the colonies "in all cases whatever" and with the Townshend Acts, which taxed strategic imports.

The colonists argued first that Parliament had power to tax externally (trade, customs, etc.) but not internally within the colonies. The Townshend Revenue Act passed this new test and yet still imposed a burden many colonists considered excessive. John Dickinson then shifted the argument in his widely acclaimed *Letters from a Farmer* (1767–1768). He argued that British law, when properly construed, gave Parliament power to tax only for the regulation of trade and not for raising revenue. The latter was improper because the colonists were not represented in Parliament and therefore could not grant their consent to taxes laid on them, as the law required.

Dickinson's vigorous argument marked a crucial stage in relations between England and the colonies. He was a wealthy landholder and lawyer, a Whig in every way supportive of the British constitution, the king, Parliament, and its policies. But neither he nor others like him could tolerate their property's being made subject to taxation by a distant Parliament or the reduction of their economic interests in trade. The radical democrats who were ready to confront British authority directly thus gained a major bloc of new allies, however narrow the initial grounds of agreement. And the question of dividing powers between central and local governments began to be analyzed well in advance of the time when American federalism would be shaped by the Constitutional Convention of 1787.

The next stage of the argument dealt with whether Parliament had power over the colonies at all. It was still an argument over the proper meaning of the unwritten British constitution, to which the Americans still expressed their loyalty. But it questioned Parliament's authority in the most basic manner on the grounds that at the time of settlement, sovereignty lay with the English king, and therefore the Glorious Revolution's transfer of power to Parliament could not apply to the colonies. The American debaters alleged that the only source of authority over the colonies was therefore the king of England, to whom they expressed loyalty.

The situation in England was so clearly one of parliamentary supremacy, however, that the argument simply made no sense in London. The final stage of protest, inspired both by Locke and by the radical French thinker Jean-Jacques Rousseau, used the most basic argument of all: the colonists insisted that their natural rights as embodied in natural or higher law were being violated. This argument was preferred by the more radical elements because it contained its own answer in the Lockean (or Rousseauian) right of revolution. The argument was peculiarly American in that, on

behalf of the colonies, it asserted a law higher than Parliament by which the latter was bound; if Parliament acted inconsistently with the colonists' natural rights, these radicals claimed, such actions were null and void. In England, however, no law or limit higher than Parliament was acknowledged, and once again the debate stalled.

This escalating dialogue revealed itself as partly a conflict of economic and political interests, but partly a failure of communication resulting from the transformation in the meaning of key concepts that had occurred in the preceding decades. Bernard Bailyn, perhaps the most acute student of the pre-Revolutionary debates, identified the most fundamental changes occurring in the concepts of representation, constitutions and rights, and sovereignty.⁵

To the colonists, representation had come to mean direct representation in the legislative body by elected delegates who thereby conferred the consent of their constituents on legislation in a continual, day-by-day manner. This accountability accorded with the covenanting and participating experience of church congregations and town government alike—and, Grinde and Johansen might add, with the centuries-old practices of the Iroquois. But even though the House of Commons was elected from geographic districts, Parliament held no such concept. Districts were not representative of population; some were “rotten boroughs” where few people lived. Seats in Parliament could be bought and sold openly, and members were not responsible to their electors. Parliament held to the concept of “virtual representation,” in which every member represented all Englishmen, wherever they might be. Whenever the issue of consent by

the people was raised, Parliament's response was that such consent had been given at the time of the Glorious Revolution or some earlier point and that nothing further was required. The American concept thus had no counterpart in English experience and was readily denied.

The English concept of a constitution likewise stood in contrast to the evolved American view. Americans, with their experience under colonial charters and church covenants, understood a constitution to be a written document embodying specific purposes and granting (or withholding) particular powers—all as the framers and signers of such documents had intended. Statutes or other acts of governments might be challenged on grounds that they violated the terms of the (higher) constitution. The British concept of a constitution was of the historical accumulation of traditions and ways of doing things expressed in the present form and practices of governing institutions. Parliament had the powers necessary and appropriate to governing; if an issue were raised between the historic rights of Englishmen and a statute enacted by Parliament, the matter would be resolved by appealing to Parliament for a decision. Whatever Parliament does becomes part of the constitution. With such a view, Parliament could go no further in response to the colonists' arguments than to reconsider its policies and then enforce them.

Likewise, the two sides had contrasting ideas about the location of sovereignty. The experience of the colonists, like that of the Iroquois, led them to regard sovereignty as located in the body of the people and always possessed by them in the ultimate sense. When great questions of the powers and forms of institutions had to be decided, only the people could do so. In the English view, on the other hand, sovereignty lay in Parliament, and whatever it did was binding on all. Most English contemporaries would have asserted

5. Bernard Bailyn, *The Ideology of the American Revolution* (Cambridge, MA: Harvard University Press, 1967), chap. 5, *passim*. The remainder of this section depends heavily on Bailyn's analysis.

that sovereignty rested never in the people of England but rather in the king, from whom Parliament had acquired it. And in any event, the consent of the people for Parliament's exercise of sovereign power could be inferred from history.

What had come together for Americans was essentially a fusion of the English common law, the Enlightenment rationalism of Locke leavened by the ideas of seventeenth-century republicans such as John Milton and Algernon Sidney, the Puritan heritage of covenanting and Congregationalism, the democratic tradition of the Iroquois, and the independent self-reliance generated by the American environment. All of these forces contributed underlying conceptual changes sufficient to give Americans a distinct political perspective. Economic ambitions—to trade freely with countries other than England, to be free of duties and imposts, and to develop domestic manufacturing—added more momentum toward independence.

But a third major factor was the image of corruption in English politics, a corruption that undermined the still-revered British constitution. This image, amply justified by the vote buying and other machinations of parliamentary leaders, was supplemented by the growing conviction that there was developing in England a conspiracy against the traditional liberties of English people, particularly those in America. The colonists' cause thus became larger than themselves; the rights of free people, always before at their (European) highest and best in England, now had to be preserved by Americans. In Bailyn's words, this historic role "gave a radical new meaning to their claims: it transformed them from constitutional arguments to an expression of a world regenerative creed."⁶

With this image of corruption and conspiracy against traditional liberties to work with, radical democrats such as Samuel Adams (see selection 6) and later Thomas

Paine enjoyed increasing success in mobilizing support for independence. Adams had been at work throughout the 1760s to impugn everything British and aristocratic; in Parrington's words, "The single purpose of his life was the organization of the rank and file to take over control of the political state."⁷ But British policy soon gave the militants even more assistance: repeated economic constraints convinced reluctant Whigs that they had no property-protecting alternative to independence, and the Quebec Act destroyed the land claims and speculative prospects of a number of southern planters, including George Washington, one of the richest of the colonists. There remained only the need for the catalytic trigger of violence and bloodshed somewhere. That event was not long in coming.

Revolution to Constitution

The Declaration of Independence was almost an anticlimax. Colonial militias had been training and mobilizing for war with Britain since 1774, and armed conflict with British regulars was continual in the northern colonies throughout 1775. In June of 1775, for example, the Continental Congress established a Continental army with Washington as its commander to go to the aid of the colonial militia then besieging the British authorities in Boston. By late 1775 a colonial navy had been authorized, and fighting had spread to the southern colonies. January 1776 saw the publication and dramatic impact of Thomas Paine's *Common Sense* (see selection 8), which for the first time attacked the much-revered British constitution itself and demanded a republican form of government. French aid for the colonists' war with England was promised in March 1776. The Congress moved steadily

6. *Ibid.*, 138.

7. Parrington, 233.

toward voting for independence as several states formally directed their delegates to seek such a declaration. To the last, however, there were many delegates and prominent spokespeople (including New Yorker Alexander Hamilton) who opposed independence or hoped war could be avoided.

The Declaration was understood at the time as a summary of the natural rights position and a recital of the colonists' grievances against the king. The Declaration does not mention Parliament because the colonists' constitutional argument had by this time denied any relationship to that body. Nor is any plan of alternative government included. The intent of the Declaration was to produce the broadest possible majority in support of independence and to mobilize popular support behind that cause—hence the substitution of “happiness” for “property” as one of the “inalienable rights” with which all are endowed. Jefferson thus embraced Locke's radical notion of the right to revolution while deferring Locke's other concern for property as the prime focus of government. The growing desire for independence temporarily masked the considerable conflicts within and among the colonies.

The authorship of the Declaration⁸ was itself highly symbolic of America's imbedded conflict between propertied wealth and radical equality. The two men who were drafted successively to write it, Benjamin Franklin and Thomas Jefferson, were a land speculator and a slave owner, respectively. Yet Franklin, who turned over the job to Jefferson because “I am too old, and you are a better writer,” later wrote (against the views of Locke) that “private property is the creature of society, and is

subject to the calls of that society.” In turn, Jefferson warned five years after retiring from the presidency in 1814, “I hope that we shall crush in its birth the aristocracy of our moneyed corporations, which dare already to challenge our government to a trial of strength and bid defiance to the laws of our country.” For Americans of the early twenty-first century, still suffering from the effects of the Great Recession of 2007 to 2009 and blaming Wall Street for the recession and continuing high unemployment, Franklin's and Jefferson's concerns about irresponsible private wealth may seem prescient indeed.

The Declaration of Independence represents the high point in the radical democratic surge of the revolutionary period—at least as far as formal documents are concerned. The Articles of Confederation, drafted shortly thereafter but not ratified for several years, created a league of states much in the jealously independent spirit of the Declaration, but they never gained the genuine support of leading politicians (or historians) and suffered from the conflicting interests of the states. State constitutions drafted in this period show modest egalitarian advances but were probably more noteworthy for the precedents they set for separating and balancing powers in the manner colonial thinkers believed the British Constitution and the Iroquois had done. The stage was set for a compromise solution in the form of a new federal system that would create a more powerful national government while leaving most powers in the hands of the states.

Much has been made of the Constitution of 1787 as a reaction against the spirit of the Declaration. It is certainly different in tone, with much attention given to the powers necessary to maintaining political and economic stability. And it was more fully the product of the merchant and planter class; the radicals stayed home and opposed its ratification. During the constitutional deliberations, Jefferson was serving as U.S. ambassador to France, and

8. In *American Scripture: Making the Declaration of Independence* (New York: Alfred A. Knopf, 1997), historian Pauline Maier argues that the Declaration reflected similar declarations at all levels of the American colonial governments and was drafted by Jefferson but substantially edited by the members of the Continental Congress before its ratification.

the elderly Franklin was being carefully chaperoned by the Federalists lest he try to promote or publicize any radical, Anti-Federalist proposals. But part of the difference between the two documents reflects their divergent functions: language used when mobilizing for sacrifice in war greatly differs in tone and substance from that used when organizing a stable government. The Farewell Address of President George Washington (see selection 17) represented an attempt to reconcile many of the conflicting themes of the young nation, both revolutionary and conservative, including Washington's explicit appeal for Americans to resist the temptations of partisanship and political polarization.

Finally, how the conflicts of interest among sectors of the American social order were played out, what the intentions of the leading framers really were, and who won and who lost as a result are issues that must be explored and decided by readers themselves. This is the period in which the basic outlines of American liberalism (and shortly, liberal capitalism) were being solidified into institutions and practices. From that vantage point, these values and beliefs would project themselves in the form of the political premises of future generations.

Many of the abiding challenges and conflicts of U.S. society, including those facing

readers today, can be traced to the ideological and institutional foundations of the American political system. The American Revolution was political rather than social or economic, as the new federal system did not challenge the existing socioeconomic order. Potential conflicts between the working and owning classes, between those of different ethnicities and religions, and between slave states and free states were deferred to future generations. By instituting a system of checks and balances among different branches and levels of government, and by permitting the development of political parties and interest groups, the Founders achieved a political compromise that permitted the ratification of the Constitution. But they also created a system that encouraged competition rather than consensus and that favored periodic episodes of partisan gridlock all the way down to the opening decades of the twenty-first century.

By direct engagement with the original sources provided in this book, readers can better assess for themselves both the problems and the prospects of the American political tradition and of U.S. politics today. They may also better prepare themselves to discover the sources and confront the challenges of their own political beliefs, identities, and engagements.