

Encyclopedia of American Revolution Volume 1

Anthony Strickland



**ENCYCLOPEDIA OF
AMERICAN REVOLUTION
VOLUME 1**

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Chapter 1

American Enlightenment

The American Enlightenment was a period of intellectual ferment in the thirteen American colonies in the 18th to 19th century, which led to the American Revolution, and the creation of the United States of America. The American Enlightenment was influenced by the 17th-century European Enlightenment and its own native American philosophy. According to James MacGregor Burns, the spirit of the American Enlightenment was to give Enlightenment ideals a practical, useful form in the life of the nation and its people.

The American Enlightenment applied scientific reasoning to politics, science, and religion. It promoted religious tolerance and restored literature, arts, and music as important disciplines worthy of study in colleges. A non-denominational moral philosophy replaced theology in many college curricula. Some colleges reformed their curricula to include natural philosophy (science), modern astronomy, and mathematics, and "new-model" American style colleges were founded. Politically, the age is distinguished by an emphasis upon economic liberty, republicanism and religious tolerance, as clearly expressed in the United States Declaration of Independence. Attempts to reconcile science and religion resulted in a rejection of prophecy, miracle, and revealed religion, resulting in an inclination toward deism among some major political leaders of the age.

Among the foremost representatives of the American Enlightenment were presidents of colleges, including Puritan

religious leaders Jonathan Edwards, Thomas Clap, and Ezra Stiles, and Anglican moral philosophers Samuel Johnson and William Smith. The leading political thinkers were John Adams, James Madison, Thomas Paine, George Mason, James Wilson, Ethan Allen, and Alexander Hamilton, and polymaths Benjamin Franklin and Thomas Jefferson.

The term "American Enlightenment" was coined in the post-World War II era, and was not used in the eighteenth century when English speakers commonly referred to a process of becoming "enlightened."

Dates

Various dates for the American Enlightenment have been proposed, including 1750–1820, 1765–1815, and 1688–1815. One more precise start date proposed is 1714, when a collection of Enlightenment books by Jeremiah Dummer were donated to the library of the college of Yale in Connecticut. They were received by a post-graduate student Samuel Johnson, who studied them. He found that they contradicted his Puritan learning. He wrote that, "All this was like a flood of day to his low state of mind", and that he found himself as if "emerging out of the glimmer of twilight into the full sunshine of open day". Two years later in 1716 as a Yale Tutor, Johnson introduced a new curriculum into Yale using Dummer's donated Enlightenment books. Johnson offered what he called "The New Learning", which included the works and ideas of Francis Bacon, John Locke, Isaac Newton, Robert Boyle, Copernicus, and literary works by Shakespeare, Milton, and Addison. Enlightenment ideas were introduced to the colonists

and diffused through Puritan educational and religious networks especially through Yale College in 1718.

Religious tolerance

Enlightened Founding Fathers, especially Benjamin Franklin, Thomas Jefferson, James Madison and George Washington, fought for and eventually attained religious freedom for minority denominations. According to the founding fathers, the United States should be a country where peoples of all faiths could live in peace and mutual benefit. James Madison summed up this ideal in 1792 saying, "Conscience is the most sacred of all property."

A switch away from established religion to religious tolerance was one of the distinguishing features of the era from 1775 to 1818. The passage of the new *Connecticut Constitution* in 1818 has been proposed as a date for the triumph if not the end of the American Enlightenment. That new constitution overturned the 180-year-old "Standing Order" and The Connecticut Charter of 1662, whose provisions dated back to the founding of the state in 1638 and the Fundamental Orders of Connecticut. The new constitution guaranteed freedom of religion and disestablished the Congregational church.

Intellectual currents

The American Enlightenment on the one hand grew from works of European political thinkers such as Montaigne, John Locke, and Jean Jacques Rousseau, who themselves derived ideas about democracy from admiring accounts of American Indian

governmental structures brought back from European travelers to the “new world” after 1500. Concepts of freedom and modern democratic ideals were born in "Native American wigwams" and found permanence in Voltaire's *Huron*. While between 1714 and 1818, an intellectual change took place that seemed to change the British Colonies of America from a distant backwater into a leader in various fields — moral philosophy, educational reform, religious revival, industrial technology, science, and, most notably, political philosophy, the roots of this change were home grown. America saw a consensus on a "pursuit of happiness" based political structure based in large part on Native sources, however misunderstood.

A non-denominational moral philosophy replaced theology in many college curricula. Yale College and the College of William & Mary were reformed.

Even Puritan colleges such as the College of New Jersey (now Princeton University) and Harvard University reformed their curricula to include natural philosophy (science), modern astronomy, and mathematics. Additionally, "new-model" American style colleges were founded, such as King's College New York (now Columbia University), and the College of Philadelphia (now University of Pennsylvania).

European sources

Sources of the American Enlightenment are many and vary according to time and place. As a result of an extensive book trade with Great Britain, the colonies were well acquainted with European literature almost contemporaneously. Early influences were English writers, including James Harrington,

Algernon Sidney, the Viscount Bolingbroke, John Trenchard and Thomas Gordon (especially the two's Cato's Letters), and Joseph Addison (whose tragedy Cato was extremely popular). A particularly important English legal writer was Sir William Blackstone, whose *Commentaries on the Laws of England* served as a major influence on the American Founders and is a key source in the development Anglo-American common law.

Although John Locke's *Two Treatises of Government* has long been cited as a major influence on American thinkers, historians David Lundberg and Henry F. May demonstrate that Locke's *Essay Concerning Human Understanding* was far more widely read than were his political *Treatises*.

The Scottish Enlightenment also influenced American thinkers. David Hume's *Essays* and his *History of England* were widely read in the colonies, and Hume's political thought had a particular influence on James Madison and the Constitution. Another important Scottish writer was Francis Hutcheson.

Hutcheson's ideas of ethics, along with notions of civility and politeness developed by the Earl of Shaftesbury, and Addison and Richard Steele in their *Spectator*, were a major influence on upper-class American colonists who sought to emulate European manners and learning.

By far the most important French sources to the American Enlightenment were Montesquieu's *Spirit of the Laws* and Emer de Vattel's *Law of Nations*. Both informed early American ideas of government and were major influences on the Constitution. Voltaire's histories were widely read but seldom cited. Rousseau's influence was marginal. Noah Webster used Rousseau's educational ideas of child development to structure

his famous *Speller*. A German influence includes Samuel Pufendorf, whose writings were also commonly cited by American writers.

Science

Leading scientists during the American Enlightenment included Benjamin Franklin for his work on electricity, William Smith for his organization and observations of the Transit of Venus, Jared Eliot for his work in metallurgy and agriculture, the astronomer David Rittenhouse in astronomy, math, and instruments, Benjamin Rush in medical science, Charles Willson Peale in natural history, and Cadwallader Colden for his work in botany and town sanitation. Colden's daughter, Jane Colden, was the first female botanist working in America. Count Rumford was a leading scientist, especially in the field of heat.

Architecture, arts, and culture

After 1780, the Federal-style of American Architecture began to diverge from the Georgian style and became a uniquely American genre; in 1813, the American architect Ithiel Town designed and in 1814–1816 built the first Gothic Style church in North America, Trinity Church on the Green in New Haven, predating the English Gothic revival by a decade. In the fields of literature, poetry, music, and drama some nascent artistic attempts were made, particularly in pre-war Philadelphia, but American (non-popular) culture in these fields was largely imitative of British culture for most of the period.

Republicanism

American republicanism emphasized consent of the governed, riddance of the aristocracy, and resistance towards corruption. It represented the convergence of classical republicanism and English republicanism (of 17th century Commonwealthmen and 18th century English Country Whigs).

J.G.A. Pocock explained the intellectual sources in America:

The Whig canon and the neo-Harringtonians, John Milton, James Harrington and Sidney, Trenchard, Gordon and Bolingbroke, together with the Greek, Roman, and Renaissance masters of the tradition as far as Montesquieu, formed the authoritative literature of this culture; and its values and concepts were those with which we have grown familiar: a civic and patriot ideal in which the personality was founded on property, perfected in citizenship but perpetually threatened by corruption; government figuring paradoxically as the principal source of corruption and operating through such means as patronage, faction, standing armies (opposed to the ideal of the militia); established churches (opposed to the Puritan and deist modes of American religion); and the promotion of a monied interest—though the formulation of this last concept was somewhat hindered by the keen desire for readily available paper credit common in colonies of settlement.

Liberalism and republicanism

Since the 1960s, historians have debated the Enlightenment's role in the American Revolution. Before 1960 the consensus

was that liberalism, especially that of John Locke, was paramount; republicanism was largely ignored. The new interpretations were pioneered by J.G.A. Pocock who argued in *The Machiavellian Moment* (1975) that, at least in the early eighteenth-century, republican ideas were just as important as liberal ones. Pocock's view is now widely accepted. Bernard Bailyn and Gordon Wood pioneered the argument that the Founding Fathers of the United States were more influenced by republicanism than they were by liberalism. Isaac Kramnick, on the other hand, argues that Americans have always been highly individualistic and therefore Lockean.

In the decades before the American Revolution (1776), the intellectual and political leaders of the colonies studied history intently, looking for guides or models for good (and bad) government. They especially followed the development of republican ideas in England. Pocock explained the intellectual sources in the United States:

The Whig canon and the neo-Harringtonians, John Milton, James Harrington and Sidney, Trenchard, Gordon and Bolingbroke, together with the Greek, Roman, and Renaissance masters of the tradition as far as Montesquieu, formed the authoritative literature of this culture; and its values and concepts were those with which we have grown familiar: a civic and patriot ideal in which the personality was founded on property, perfected in citizenship but perpetually threatened by corruption; government figuring paradoxically as the principal source of corruption and operating through such means as patronage, faction, standing armies (opposed to the ideal of the militia), established churches (opposed to the Puritan and deist modes of American religion) and the promotion of a

monied interest—though the formulation of this last concept was somewhat hindered by the keen desire for readily available paper credit common in colonies of settlement. A neoclassical politics provided both the ethos of the elites and the rhetoric of the upwardly mobile, and accounts for the singular cultural and intellectual homogeneity of the Founding Fathers and their generation.

The commitment of most Americans to these republican values made inevitable the American Revolution, for Britain was increasingly seen as corrupt and hostile to republicanism, and a threat to the established liberties the Americans enjoyed.

Leopold von Ranke, a leading German historian, in 1848 claims that American republicanism played a crucial role in the development of European liberalism:

By abandoning English constitutionalism and creating a new republic based on the rights of the individual, the North Americans introduced a new force in the world. Ideas spread most rapidly when they have found adequate concrete expression.

Thus republicanism entered our Romanic/Germanic world... Up to this point, the conviction had prevailed in Europe that monarchy best served the interests of the nation. Now the idea spread that the nation should govern itself.

But only after a state had actually been formed on the basis of the theory of representation did the full significance of this idea become clear. All later revolutionary movements have this same goal... This was the complete reversal of a principle. Until then, a king who ruled by the grace of God had been the

center around which everything turned. Now the idea emerged that power should come from below... These two principles are like two opposite poles, and it is the conflict between them that determines the course of the modern world. In Europe the conflict between them had not yet taken on concrete form; with the French Revolution it did.

"Life, Liberty and the pursuit of Happiness"

Many historians find that the origin of this famous phrase derives from Locke's position that "no one ought to harm another in his life, health, liberty, or possessions."

Others suggest that Jefferson took the phrase from Sir William Blackstone's *Commentaries on the Laws of England*. Others note that William Wollaston's 1722 book *The Religion of Nature Delineated* describes the "truest definition" of "natural religion" as being "*The pursuit of happiness by the practice of reason and truth.*"

The Virginia Declaration of Rights, which was written by George Mason and adopted by the Virginia Convention of Delegates on June 12, 1776, a few days before Jefferson's draft, in part, reads:

That all men are by nature equally free and independent, and have certain inherent rights ... namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

The United States Declaration of Independence, which was primarily written by Thomas Jefferson, was adopted by the Second Continental Congress on July 4, 1776. The text of the second section of the Declaration of Independence reads:

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.

Deism

Both the Moderate Enlightenment and a Radical or Revolutionary Enlightenment were reactions against the authoritarianism, irrationality, and obscurantism of the established churches. Philosophers such as Voltaire depicted organized religion as hostile to the development of reason and the progress of science and incapable of verification.

An alternative religion was deism, the philosophical belief in a deity based on reason, rather than religious revelation or dogma. It was a popular perception among the *philosophes*, who adopted deistic attitudes to varying degrees. Deism greatly influenced the thought of intellectuals and Founding Fathers, including John Adams, Benjamin Franklin, perhaps George Washington and, especially,

Thomas Jefferson. The most articulate exponent was Thomas Paine, whose *The Age of Reason* was written in France in the early 1790s, and soon reached the United States. Paine was highly controversial; when Jefferson was attacked for his deism in the 1800 election, Democratic-Republican politicians took

pains to distance their candidate from Paine. Unitarianism and Deism were strongly connected, the former being brought to America by Joseph Priestley. Doctor Samuel Johnson called Lord Edward Herbert the "father of English Deism".

Chapter 2

John Locke

John Locke^{FRS} (29 August 1632 – 28 October 1704) was an English philosopher and physician, widely regarded as one of the most influential of Enlightenment thinkers and commonly known as the "Father of Liberalism". Considered one of the first of the British empiricists, following the tradition of Sir Francis Bacon, Locke is equally important to social contract theory. His work greatly affected the development of epistemology and political philosophy. His writings influenced Voltaire and Jean-Jacques Rousseau, and many Scottish Enlightenment thinkers, as well as the American Revolutionaries. His contributions to classical republicanism and liberal theory are reflected in the United States Declaration of Independence. Internationally, Locke's political-legal principles continue to have a profound influence on the theory and practice of limited representative government and the protection of basic rights and freedoms under the rule of law.

Locke's theory of mind is often cited as the origin of modern conceptions of *identity* and the *self*, figuring prominently in the work of later philosophers such as Jean-Jacques Rousseau, David Hume, and Immanuel Kant. Locke was the first to define the *self* through a continuity of consciousness. He postulated that, at birth, the mind was a blank slate, or *tabula rasa*. Contrary to Cartesian philosophy based on pre-existing concepts, he maintained that we are born without innate ideas, and that knowledge is instead determined only by experience derived from senseperception, a concept now known as

empiricism. Demonstrating the ideology of science in his observations, whereby something must be capable of being tested repeatedly and that nothing is exempt from being disproved, Locke stated that "whatever I write, as soon as I discover it not to be true, my hand shall be the forwardest to throw it into the fire". Such is one example of Locke's belief in empiricism.

Life and work

Locke was born on 29 August 1632, in a small thatched cottage by the church in Wrington, Somerset, about 12 miles from Bristol. He was baptised the same day, as both of his parents were Puritans. Locke's father, also called John, was an attorney who served as clerk to the Justices of the Peace in Chew Magna and as a captain of cavalry for the Parliamentarian forces during the early part of the English Civil War. His mother was Agnes Keene. Soon after Locke's birth, the family moved to the market town of Pensford, about seven miles south of Bristol, where Locke grew up in a rural Tudor house in Belluton.

In 1647, Locke was sent to the prestigious Westminster School in London under the sponsorship of Alexander Popham, a member of Parliament and John Sr.'s former commander. After completing studies there, he was admitted to Christ Church, Oxford, in the autumn of 1652 at the age of 20. The dean of the college at the time was John Owen, vice-chancellor of the university. Although a capable student, Locke was irritated by the undergraduate curriculum of the time. He found the works of modern philosophers, such as René Descartes, more interesting than the classical material taught at the university.

Through his friend Richard Lower, whom he knew from the Westminster School, Locke was introduced to medicine and the experimental philosophy being pursued at other universities and in the Royal Society, of which he eventually became a member.

Locke was awarded a bachelor's degree in February 1656 and a master's degree in June 1658. He obtained a bachelor of medicine in February 1675, having studied the subject extensively during his time at Oxford and, in addition to Lower, worked with such noted scientists and thinkers as Robert Boyle, Thomas Willis and Robert Hooke. In 1666, he met Anthony Ashley Cooper, Lord Ashley, who had come to Oxford seeking treatment for a liver infection. Ashley was impressed with Locke and persuaded him to become part of his retinue.

Locke had been looking for a career and in 1667 moved into Ashley's home at Exeter House in London, to serve as his personal physician. In London, Locke resumed his medical studies under the tutelage of Thomas Sydenham. Sydenham had a major effect on Locke's natural philosophical thinking – an effect that would become evident in *An Essay Concerning Human Understanding*.

Locke's medical knowledge was put to the test when Ashley's liver infection became life-threatening. Locke coordinated the advice of several physicians and was probably instrumental in persuading Ashley to undergo surgery (then life-threatening itself) to remove the cyst. Ashley survived and prospered, crediting Locke with saving his life.

During this time, Locke served as Secretary of the Board of Trade and Plantations and Secretary to the Lords Proprietors of

Carolina, which helped to shape his ideas on international trade and economics.

Ashley, as a founder of the Whig movement, exerted great influence on Locke's political ideas. Locke became involved in politics when Ashley became Lord Chancellor in 1672 (Ashley being created 1st Earl of Shaftesbury in 1673). Following Shaftesbury's fall from favour in 1675, Locke spent some time travelling across France as a tutor and medical attendant to Caleb Banks.

He returned to England in 1679 when Shaftesbury's political fortunes took a brief positive turn. Around this time, most likely at Shaftesbury's prompting, Locke composed the bulk of the *Two Treatises of Government*. While it was once thought that Locke wrote the *Treatises* to defend the Glorious Revolution of 1688, recent scholarship has shown that the work was composed well before this date. The work is now viewed as a more general argument against absolute monarchy (particularly as espoused by Robert Filmer and Thomas Hobbes) and for individual consent as the basis of political legitimacy. Although Locke was associated with the influential Whigs, his ideas about natural rights and government are today considered quite revolutionary for that period in English history.

Locke fled to the Netherlands in 1683, under strong suspicion of involvement in the Rye House Plot, although there is little evidence to suggest that he was directly involved in the scheme. The philosopher and novelist Rebecca Newberger Goldstein argues that during his five years in Holland, Locke chose his friends "from among the same freethinking members

of dissenting Protestant groups as Spinoza's small group of loyal confidants. [Baruch Spinoza had died in 1677.] Locke almost certainly met men in Amsterdam who spoke of the ideas of that renegade Jew who... insisted on identifying himself through his religion of reason alone." While she says that "Locke's strong empiricist tendencies" would have "disinclined him to read a grandly metaphysical work such as Spinoza's *Ethics*, in other ways he was deeply receptive to Spinoza's ideas, most particularly to the rationalist's well thought out argument for political and religious tolerance and the necessity of the separation of church and state."

In the Netherlands, Locke had time to return to his writing, spending a great deal of time working on the *Essay Concerning Human Understanding* and composing the *Letter on Toleration*. Locke did not return home until after the Glorious Revolution. Locke accompanied Mary II back to England in 1688. The bulk of Locke's publishing took place upon his return from exile – his aforementioned *Essay Concerning Human Understanding*, the *Two Treatises of Government* and *A Letter Concerning Toleration* all appearing in quick succession.

Locke's close friend Lady Masham invited him to join her at Otes, the Mashams' country house in Essex. Although his time there was marked by variable health from asthma attacks, he nevertheless became an intellectual hero of the Whigs. During this period he discussed matters with such figures as John Dryden and Isaac Newton.

He died on 28 October 1704, and is buried in the churchyard of the village of High Laver, east of Harlow in Essex, where he

had lived in the household of Sir Francis Masham since 1691. Locke never married nor had children.

Events that happened during Locke's lifetime include the English Restoration, the Great Plague of London, the Great Fire of London, and the Glorious Revolution. He did not quite see the Act of Union of 1707, though the thrones of England and Scotland were held in personal union throughout his lifetime. Constitutional monarchy and parliamentary democracy were in their infancy during Locke's time.

Ideas

In the late 17th and early 18th centuries, Locke's *Two Treatises* were rarely cited. Historian Julian Hoppit said of the book, "except among some Whigs, even as a contribution to the intense debate of the 1690s it made little impression and was generally ignored until 1703 (though in Oxford in 1695 it was reported to have made 'a great noise')." John Kenyon, in his study of British political debate from 1689 to 1720, has remarked that Locke's theories were "mentioned so rarely in the early stages of the [Glorious] Revolution, up to 1692, and even less thereafter, unless it was to heap abuse on them" and that "no one, including most Whigs, [were] ready for the idea of a notional or abstract contract of the kind adumbrated by Locke." In contrast, Kenyon adds that Algernon Sidney's *Discourses Concerning Government* were "certainly much more influential than Locke's *Two Treatises*."

In the 50 years after Queen Anne's death in 1714, the *Two Treatises* were reprinted only once (except in the collected works of Locke). However, with the rise of American resistance

to British taxation, the *Second Treatise of Government* gained a new readership; it was frequently cited in the debates in both America and Britain. The first American printing occurred in 1773 in Boston.

Locke exercised a profound influence on political philosophy, in particular on modern liberalism. Michael Zuckert has argued that Locke launched liberalism by tempering Hobbesian absolutism and clearly separating the realms of Church and State. He had a strong influence on Voltaire who called him "*le sage Locke*." His arguments concerning liberty and the social contract later influenced the written works of Alexander Hamilton, James Madison, Thomas Jefferson, and other Founding Fathers of the United States. In fact, one passage from the *Second Treatise* is reproduced verbatim in the Declaration of Independence, the reference to a "long train of abuses." Such was Locke's influence that Thomas Jefferson wrote:

Bacon, Locke and Newton... I consider them as the three greatest men that have ever lived, without any exception, and as having laid the foundation of those superstructures which have been raised in the Physical and Moral sciences.

However, Locke's influence may have been even more profound in the realm of epistemology. Locke redefined subjectivity, or *self*, leading intellectual historians such as Charles Taylor and Jerrold Seigel to argue that Locke's *An Essay Concerning Human Understanding* (1689/90) marks the beginning of the modern Western conception of the *self*.

Locke's theory of association heavily influenced the subject matter of modern psychology. At the time, Locke's recognition

of two types of ideas, *simple* and *complex*—and, more importantly, their interaction through associationism—inspired other philosophers, such as David Hume and George Berkeley, to revise and expand this theory and apply it to explain how humans gain knowledge in the physical world.

Theories of religious tolerance

Locke, writing his *Letters Concerning Toleration* (1689–1692) in the aftermath of the European wars of religion, formulated a classic reasoning for religious tolerance, in which three arguments are central:

- Earthly judges, the state in particular, and human beings generally, cannot dependably evaluate the truth-claims of competing religious standpoints;
- Even if they could, enforcing a single 'true religion' would not have the desired effect, because belief cannot be compelled by violence;
- Coercing religious uniformity would lead to more social disorder than allowing diversity.

With regard to his position on religious tolerance, Locke was influenced by Baptist theologians like John Smyth and Thomas Helwys, who had published tracts demanding freedom of conscience in the early 17th century. Baptist theologian Roger Williams founded the colony of Rhode Island in 1636, where he combined a democratic constitution with unlimited religious freedom. His tract, *The Bloody Tenent of Persecution for Cause of Conscience* (1644), which was widely read in the mother country, was a passionate plea for absolute religious freedom and the total separation of church and state. Freedom of

conscience had had high priority on the theological, philosophical, and political agenda, as Martin Luther refused to recant his beliefs before the Diet of the Holy Roman Empire at Worms in 1521, unless he would be proved false by the Bible.

Slavery and child labour

Locke's views on slavery were multifaceted and complex. Although he wrote against slavery in general in his writing, Locke was an investor and beneficiary of the slave trading Royal Africa Company. In addition, while secretary to the Earl of Shaftesbury, Locke participated in drafting the *Fundamental Constitutions of Carolina*, which established a quasi-feudalaristocracy and gave Carolinian planters absolute power over their enslaved chattel property; the constitutions pledged that "every freeman of Carolina shall have absolute power and authority over his negro slaves". Philosopher Martin Cohen noted that Locke, as a secretary to the Council of Trade and Plantations and a member of the Board of Trade, was "one of just half a dozen men who created and supervised both the colonies and their iniquitous systems of servitude". According to American historian James Farr, Locke never expressed any thoughts concerning his contradicting opinions regarding slavery, which Farr ascribed to his personal involvement in the slave trade. Locke's positions on slavery have been described as hypocritical, and laying the foundation for the Founding Fathers to hold similar contradicting thoughts regarding freedom and slavery. Locke also drafted implementing instructions for the Carolina colonists designed to ensure that settlement and development was consistent with the

Fundamental Constitutions. Collectively, these documents are known as the Grand Model for the Province of Carolina.

Historian Holly Brewer has however argued that Locke's role in the Constitution of Carolina was exaggerated and that he was merely paid to revise and make copies of a document that had already been partially written before Locke became involved; she compares Locke's role to a lawyer writing a will. She further notes that Locke was paid in Royal African Company stock in lieu of money for his work as a secretary for a governmental sub-committee and that he sold the stock after only a few years. Brewer likewise argues that Locke actively worked to undermine slavery in Virginia while heading a Board of Trade created by William of Orange following the Glorious Revolution. He specifically attacked colonial policy granting land to slave owners and encouraged the baptism and Christian education of the children of enslaved Africans to undercut a major justification of slavery- specifically, that they were heathens that possessed no rights.

Locke also supported child labour. In his "Essay on the Poor Law," Locke turns to the education of the poor; he laments that "the children of labouring people are an ordinary burden to the parish, and are usually maintained in idleness, so that their labour also is generally lost to the public till they are 12 or 14 years old." He suggests, therefore, that "working schools" be set up in each parish in England for poor children so that they will be "from infancy [three years old] inured to work." He goes on to outline the economics of these schools, arguing not only that they will be profitable for the parish, but also that they will instill a good work ethic in the children.

Theory of value and property

Locke uses the concept of *property* in both broad and narrow terms: broadly, it covers a wide range of human interests and aspirations; more particularly, it refers to material goods. He argues that property is a natural right that is derived from labour. In Chapter V of his *Second Treatise*, Locke argues that the individual ownership of goods and property is justified by the labour exerted to produce such goods—"at least where there is enough [land], and as good, left in common for others" (para. 27)—or use property to produce goods beneficial to human society.

Locke stated his belief, in his *Second Treatise*, that nature on its own provides little of value to society, implying that the labour expended in the creation of goods gives them their value. From this premise, understood as a *labour theory of value*, Locke developed a *labour theory of property*, whereby ownership of property is created by the application of labour. In addition, he believed that property precedes government and government cannot "dispose of the estates of the subjects arbitrarily." Karl Marx later critiqued Locke's theory of property in his own social theory.

Political theory

Locke's political theory was founded upon that of social contract. Unlike Thomas Hobbes, Locke believed that human nature is characterised by reason and tolerance. Like Hobbes, Locke believed that human nature allowed people to be selfish. This is apparent with the introduction of currency. In a natural state, all people were equal and independent, and everyone had

a natural right to defend his "life, health, liberty, or possessions." Most scholars trace the phrase "Life, Liberty and the pursuit of Happiness," in the American Declaration of Independence, to Locke's theory of rights, though other origins have been suggested.

Like Hobbes, Locke assumed that the sole right to defend in the state of nature was not enough, so people established a civil society to resolve conflicts in a civil way with help from government in a state of society. However, Locke never refers to Hobbes by name and may instead have been responding to other writers of the day. Locke also advocated governmental separation of powers and believed that revolution is not only a right but an obligation in some circumstances. These ideas would come to have profound influence on the Declaration of Independence and the Constitution of the United States.

Limits to accumulation

According to Locke, unused property is wasteful and an offence against nature, but, with the introduction of "durable" goods, men could exchange their excessive perishable goods for those which would last longer and thus not offend the natural law. In his view, the introduction of money marked the culmination of this process, making possible the unlimited accumulation of property without causing waste through spoilage. He also includes gold or silver as money because they may be "hoarded up without injury to anyone," as they do not spoil or decay in the hands of the possessor. In his view, the introduction of money eliminates the limits of accumulation. Locke stresses that inequality has come about by tacit agreement on the use of money, not by the social contract establishing civil society

or the law of land regulating property. Locke is aware of a problem posed by unlimited accumulation but does not consider it his task. He just implies that government would function to moderate the conflict between the unlimited accumulation of property and a more nearly equal distribution of wealth; he does not identify which principles that government should apply to solve this problem. However, not all elements of his thought form a consistent whole. For example, the labour theory of value in the *Two Treatises of Government* stands side by side with the demand-and-supply theory of value developed in a letter he wrote titled *Some Considerations on the Consequences of the Lowering of Interest and the Raising of the Value of Money*. Moreover, Locke anchors property in labour but in the end, upholds the unlimited accumulation of wealth.

On price theory

Locke's general theory of value and price is a supply-and-demand theory, set out in a letter to a member of parliament in 1691, titled *Some Considerations on the Consequences of the Lowering of Interest and the Raising of the Value of Money*. In it, he refers to supply as *quantity* and demand as *rent*: "The price of any commodity rises or falls by the proportion of the number of buyers and sellers," and "that which regulates the price...[of goods] is nothing else but their quantity in proportion to their rent."

The quantity theory of money forms a special case of this general theory. His idea is based on "money answers all things" (Ecclesiastes) or "rent of money is always sufficient, or more than enough," and "varies very little..." Locke concludes that,

as far as money is concerned, the demand is exclusively regulated by its quantity, regardless of whether the demand for money is unlimited or constant. He also investigates the determinants of demand and supply. For supply, he explains the value of goods as based on their scarcity and ability to be exchanged and consumed. He explains demand for goods as based on their ability to yield a flow of income. Locke develops an early theory of capitalisation, such as land, which has value because "by its constant production of saleable commodities it brings in a certain yearly income." He considers the demand for money as almost the same as demand for goods or land: it depends on whether money is wanted as medium of exchange. As a medium of exchange, he states that "money is capable by exchange to procure us the necessaries or conveniences of life," and for loanable funds, "it comes to be of the same nature with land by yielding a certain yearly income...or interest."

Monetary thoughts

Locke distinguishes two functions of money: as a *counter* to measure value, and as a *pledge* to lay claim to goods. He believes that silver and gold, as opposed to paper money, are the appropriate currency for international transactions. Silver and gold, he says, are treated to have equal value by all of humanity and can thus be treated as a pledge by anyone, while the value of paper money is only valid under the government which issues it.

Locke argues that a country should seek a favourable balance of trade, lest it fall behind other countries and suffer a loss in its trade. Since the world money stock grows constantly, a country must constantly seek to enlarge its own stock. Locke

develops his theory of foreign exchanges, in addition to commodity movements, there are also movements in country stock of money, and movements of capital determine exchange rates. He considers the latter less significant and less volatile than commodity movements. As for a country's money stock, if it is large relative to that of other countries, he says it will cause the country's exchange to rise above par, as an export balance would do.

He also prepares estimates of the cash requirements for different economic groups (landholders, labourers, and brokers). In each group he posits that the cash requirements are closely related to the length of the pay period. He argues the brokers—the middlemen—whose activities enlarge the monetary circuit and whose profits eat into the earnings of labourers and landholders, have a negative influence on both personal and the public economy to which they supposedly contribute.

The self

Locke defines *the self* as "that conscious thinking thing, (whatever substance, made up of whether spiritual, or material, simple, or compounded, it matters not) which is sensible, or conscious of pleasure and pain, capable of happiness or misery, and so is concerned for itself, as far as that consciousness extends." He does not, however, ignore "substance", writing that "the body too goes to the making the man".

In his *Essay*, Locke explains the gradual unfolding of this conscious mind. Arguing against both the Augustinian view of

man as originally sinful and the Cartesian position, which holds that man innately knows basic logical propositions, Locke posits an 'empty mind', a *tabula rasa*, which is shaped by experience; sensations and reflections being the two sources of *all* of our ideas. He states in *An Essay Concerning Human Understanding*:

This source of ideas every man has wholly within himself; and though it be not sense, as having nothing to do with external objects, yet it is very like it, and might properly enough be called 'internal sense.'

Locke's *Some Thoughts Concerning Education* is an outline on how to educate this mind. Drawing on thoughts expressed in letters written to Mary Clarke and her husband about their son, he expresses the belief that education makes the man—or, more fundamentally, that the mind is an "empty cabinet":

I think I may say that of all the men we meet with, nine parts of ten are what they are, good or evil, useful or not, by their education.

Locke also wrote that "the little and almost insensible impressions on our tender infancies have very important and lasting consequences". He argued that the "associations of ideas" that one makes when young are more important than those made later because they are the foundation of the *self*; they are, put differently, what first mark the *tabula rasa*. In his *Essay*, in which both these concepts are introduced, Locke warns against, for example, letting "a foolish maid" convince a child that "goblins and sprites" are associated with the night for "darkness shall ever afterwards bring with it those frightful

ideas, and they shall be so joined, that he can no more bear the one than the other".

This theory came to be called *associationism*, going on to strongly influence 18th-century thought, particularly educational theory, as nearly every educational writer warned parents not to allow their children to develop negative associations. It also led to the development of psychology and other new disciplines with David Hartley's attempt to discover a biological mechanism for associationism in his *Observations on Man* (1749).

Dream argument

Locke was critical of Descartes' version of the dream argument, with Locke making the counter-argument that people cannot have physical pain in dreams as they do in waking life.

Religious beliefs

Some scholars have seen Locke's political convictions as being based from his religious beliefs. Locke's religious trajectory began in Calvinist trinitarianism, but by the time of the *Reflections* (1695) Locke was advocating not just Socinian views on tolerance but also Socinian Christology. However Wainwright (1987) notes that in the posthumously published *Paraphrase* (1707) Locke's interpretation of one verse, Ephesians 1:10, is markedly different from that of Socinians like Biddle, and may indicate that near the end of his life Locke returned nearer to an Arian position, thereby accepting Christ's pre-existence. Locke was at times not sure about the subject of original sin, so he was accused of Socinianism,

Arianism, or Deism. Locke argued that the idea that "all *Adam's* Posterity [are] doomed to Eternal Infinite Punishment, for the Transgression of *Adam*" was "little consistent with the Justice or Goodness of the Great and Infinite God", leading Eric Nelson to associate him with Pelagian ideas. However, he did not deny the reality of evil. Man was capable of waging unjust wars and committing crimes. Criminals had to be punished, even with the death penalty.

With regard to the Bible, Locke was very conservative. He retained the doctrine of the verbal inspiration of the Scriptures. The miracles were proof of the divine nature of the biblical message. Locke was convinced that the entire content of the Bible was in agreement with human reason (*The Reasonableness of Christianity*, 1695). Although Locke was an advocate of tolerance, he urged the authorities not to tolerate atheism, because he thought the denial of God's existence would undermine the social order and lead to chaos. That excluded all atheistic varieties of philosophy and all attempts to deduce ethics and natural law from purely secular premises. In Locke's opinion the cosmological argument was valid and proved God's existence. His political thought was based on Protestant Christian views. Additionally, Locke advocated a sense of piety out of gratitude to God for giving reason to men.

Philosophy from religion

Locke's concept of man started with the belief in creation. Like philosophers Hugo Grotius and Samuel Pufendorf, Locke equated natural law with the biblical revelation. Locke derived the fundamental concepts of his political theory from biblical texts, in particular from Genesis 1 and 2 (creation), the

Decalogue, the Golden Rule, the teachings of Jesus, and the letters of Paul the Apostle. The Decalogue puts a person's life, reputation and property under God's protection.

Locke's philosophy on freedom is also derived from the Bible. Locke derived from the Bible basic human equality (including equality of the sexes), the starting point of the theological doctrine of Imago Dei. To Locke, one of the consequences of the principle of equality was that all humans were created equally free and therefore governments needed the consent of the governed. Locke compared the English monarchy's rule over the British people to Adam's rule over Eve in Genesis, which was appointed by God.

Following Locke's philosophy, the American Declaration of Independence founded human rights partially on the biblical belief in creation. Locke's doctrine that governments need the consent of the governed is also central to the Declaration of Independence.

Library and manuscripts

Locke was an assiduous book collector and notetaker throughout his life. By his death in 1704, Locke had amassed a library of more than 3,000 books, a significant number in the seventeenth century. Unlike some of his contemporaries, Locke took care to catalogue and preserve his library, and his will made specific provisions for how his library was to be distributed after his death. Locke's will offered Lady Masham the choice of "any four folios, eight quartos and twenty books of less volume, which she shall choose out of the books in my Library." Locke also gave six titles to his "good friend" Anthony

Collins, but Locke bequeathed the majority of his collection to his cousin Peter King (later Lord King) and to Lady Masham's son, Francis Cudworth Masham.

Francis Masham was promised one “moiety” (half) of Locke's library when he reached “the age of one and twenty years.” The other “moiety” of Locke's books, along with his manuscripts, passed to his cousin King. Over the next two centuries, the Masham portion of Locke's library was dispersed. The manuscripts and books left to King, however, remained with King's descendants (later the Earls of Lovelace), until most of the collection was bought by the Bodleian Library, Oxford in 1947. Another portion of the books Locke left to King was discovered by the collector and philanthropist Paul Mellon in 1951. Mellon supplemented this discovery with books from Locke's library which he bought privately, and in 1978, he transferred his collection to the Bodleian. The holdings in the Locke Room at the Bodleian have been a valuable resource for scholars interested in Locke, his philosophy, practices for information management, and the history of the book.

The printed books in Locke's library reflected his various intellectual interests as well as his movements at different stages of his life. Locke travelled extensively in France and the Netherlands during the 1670s and 1680s, and during this time he acquired many books from the continent. Only half of the books in Locke's library were printed in England, while close to 40% came from France and the Netherlands. These books cover a wide range of subjects. According to John Harrison and Peter Laslett, the largest genres in Locke's library were theology (23.8% of books), medicine (11.1%), politics and law (10.7%), and classical literature (10.1%). The Bodleian library currently

holds more than 800 of the books from Locke's library. These include Locke's copies of works by several of the most influential figures of the seventeenth century, including

- The Quaker William Penn: *An address to Protestants of all persuasions* (Bodleian Locke 7.69a)
- The explorer Francis Drake: *The world encompassed by Sir Francis Drake* (Bodleian Locke 8.37c)
- The scientist Robert Boyle: *A discourse of things above reason* (Bodleian Locke 7.272)
- The bishop and historian Thomas Sprat: *The history of the Royal-Society of London* (Bodleian Locke 9.10a)

Many of the books still contain Locke's signature, which he often made on the pastedowns of his books. Many also include Locke's marginalia.

In addition to books owned by Locke, the Bodleian also possesses more than 100 manuscripts related to Locke or written in his hand. Like the books in Locke's library, these manuscripts display a range of interests and provide different windows into Locke's activity and relationships. Several of the manuscripts include letters to and from acquaintances like Peter King (MS Locke b. 6) and Nicolas Toinard (MS Locke c. 45). MS Locke f. 1–10 contain Locke's journals for most years between 1675 and 1704. Some of the most significant manuscripts include early drafts of Locke's writings, such as his *Essay concerning human understanding* (MS Locke f. 26). The Bodleian also holds a copy of Robert Boyle's *General History of the Air* with corrections and notes Locke made while preparing Boyle's work for posthumous publication (MS Locke c. 37). Other manuscripts contain unpublished works. Among

others, MS. Locke e. 18 includes some of Locke's thoughts on the Glorious Revolution, which Locke sent to his friend Edward Clarke but never published.

One of the largest categories of manuscript at the Bodleian comprises Locke's notebooks and commonplace books. The scholar Richard Yeo calls Locke a "Master Note-taker" and explains that "Locke's methodical note-taking pervaded most areas of his life." In an unpublished essay "Of Study," Locke argued that a notebook should work like a "chest-of-drawers" for organizing information, which would be a "great help to the memory and means to avoid confusion in our thoughts." Locke kept several notebooks and commonplace books, which he organized according to topic. MS Locke c. 43 includes Locke's notes on theology, while MS Locke f. 18–24 contain medical notes. Other notebooks, such as MS c. 43, incorporate several topics in the same notebook, but separated into sections.

These commonplace books were highly personal and were designed to be used by Locke himself rather than accessible to a wide audience. Locke's notes are often abbreviated and are full of codes which he used to reference material across notebooks. Another way Locke personalized his notebooks was by devising his own method of creating indexes using a grid system and Latin keywords. Instead of recording entire words, his indexes shortened words to their first letter and vowel. Thus, the word "Epistle" would be classified as "Ei". Locke published his method in French in 1686, and it was republished posthumously in English in 1706.

Some of the books in Locke's library at the Bodleian are a combination of manuscript and print. Locke had some of his

books interleaved, meaning that they were bound with blank sheets in-between the printed pages to enable annotations. Locke interleaved and annotated his five volumes of the New Testament in French, Greek, and Latin (Bodleian Locke 9.103-107). Locke did the same with his copy of Thomas Hyde's Bodleian Library catalogue (Bodleian Locke 16.17), which Locke used to create a catalogue of his own library.

List of major works

- 1689. *A Letter Concerning Toleration.*
- 1690. *A Second Letter Concerning Toleration*
- 1692. *A Third Letter for Toleration*
- 1689/90. *Two Treatises of Government* (published throughout the 18th century by London bookseller Andrew Millar by commission for Thomas Hollis)
- 1689/90. *An Essay Concerning Human Understanding*
- 1691. *Some Considerations on the consequences of the Lowering of Interest and the Raising of the Value of Money*
- 1693. *Some Thoughts Concerning Education*
- 1695. *The Reasonableness of Christianity, as Delivered in the Scriptures*
- 1695. *A Vindication of the Reasonableness of Christianity*

Major posthumous manuscripts

- 1660. *First Tract of Government (or the English Tract)*

- *c.1662. Second Tract of Government (or the Latin Tract)*
- *1664. Questions Concerning the Law of Nature.*
- *1667. Essay Concerning Toleration*
- *1706. Of the Conduct of the Understanding*
- *1707. A paraphrase and notes on the Epistles of St. Paul to the Galatians, 1 and 2 Corinthians, Romans, Ephesians*

Chapter 3

Colonial history of the United States

The colonial history of the United States covers the history of European colonization of North America from the early 17th century (i.e., 1600s) until the incorporation of the colonies into the United States of America. In the late 16th century, England, France, Spain, and the Dutch Republic launched major colonization programs in North America. The death rate was very high among early immigrants, and some early attempts disappeared altogether, such as the English Lost Colony of Roanoke. Nevertheless, successful colonies were established within several decades.

European settlers came from a variety of social and religious groups, including adventurers, farmers, indentured servants, tradesmen, and a very few from the aristocracy. Settlers included the Dutch of New Netherland, the Swedes and Finns of New Sweden, the English Quakers of the Province of Pennsylvania, the English Puritans of New England, the English settlers of Jamestown, Virginia, the English Catholics and Protestant Nonconformists of the Province of Maryland, the "worthy poor" of the Province of Georgia, the Germans who settled the mid-Atlantic colonies, and the Ulster Scots of the Appalachian Mountains.

These groups all became part of the United States when it gained its independence in 1776. Russian America and parts of New France and New Spain were also incorporated into the

United States at later times. The diverse colonists from these various regions built colonies of distinctive social, religious, political, and economic style.

Over time, non-British colonies East of the Mississippi River were taken over and most of the inhabitants were assimilated. In Nova Scotia, however, the British expelled the French Acadians, and many relocated to Louisiana. No civil wars occurred in the thirteen colonies. The two chief armed rebellions were short-lived failures in Virginia in 1676 and in New York in 1689–91. Some of the colonies developed legalized systems of slavery, centered largely around the Atlantic slave trade. Wars were recurrent between the French and the British during the French and Indian Wars. By 1760, France was defeated and its colonies were seized by Britain.

On the eastern seaboard, the four distinct English regions were New England, the Middle Colonies, the Chesapeake Bay Colonies (Upper South), and the Southern Colonies (Lower South). Some historians add a fifth region of the "Frontier", which was never separately organized. A significant percentage of the native Americans living in the eastern region had been ravaged by disease before 1620, possibly introduced to them decades before by explorers and sailors (although no conclusive cause has been established).

The goals of colonization

Colonists came from European kingdoms that had highly developed military, naval, governmental, and entrepreneurial capabilities. The Spanish and Portuguese centuries-old experience of conquest and colonization during the

Reconquista, coupled with new oceanic ship navigation skills, provided the tools, ability, and desire to colonize the New World. These efforts were managed respectively by the Casa de Contratación and the Casa da Índia.

England, France, and the Netherlands had also started colonies in the West Indies and North America. They had the ability to build ocean-worthy ships but did not have as strong a history of colonization in foreign lands as did Portugal and Spain. However, English entrepreneurs gave their colonies a foundation of merchant-based investment that seemed to need much less government support.

Initially, matters concerning the colonies were dealt with primarily by the Privy Council of England and its committees. The Commission of Trade was set up in 1625 as the first special body convened to advise on colonial (plantation) questions. From 1696 until the end of the American Revolution, colonial affairs were the responsibility of the Board of Trade in partnership with the relevant secretaries of state, which changed from the Secretary of State for the Southern Department to the Secretary of State for the Colonies in 1768.

Mercantilism

Mercantilism was the basic policy imposed by Britain on its colonies from the 1660s, which meant that the government became a partner with merchants based in England in order to increase political power and private wealth. This was done to the exclusion of other empires and even other merchants in its own colonies. The government protected its London-based merchants and kept out others by trade barriers, regulations,

and subsidies to domestic industries in order to maximize exports from the realm and minimize imports.

The government also fought smuggling, and this became a direct source of controversy with North American merchants when their normal business activities became reclassified as "smuggling" by the Navigation Acts. This included activities that had been ordinary business dealings previously, such as direct trade with the French, Spanish, Dutch, and Portuguese. The goal of mercantilism was to run trade surpluses so that gold and silver would pour into London. The government took its share through duties and taxes, with the remainder going to merchants in Britain. The government spent much of its revenue on the Royal Navy, which protected the British colonies and also threatened the colonies of the other empires, sometimes even seizing them. Thus, the British Navy captured New Amsterdam (New York) in 1664. The colonies were captive markets for British industry, and the goal was to enrich the mother country.

Freedom from religious persecution

The prospect of religious persecution by authorities of the crown and the Church of England prompted a significant number of colonization efforts. The Pilgrims were separatist Puritans who fled persecution in England, first to the Netherlands and ultimately to Plymouth Plantation in 1620. Over the following 20 years, people fleeing persecution from King Charles I settled most of New England. Similarly, the Province of Maryland was founded in part to be a haven for Roman Catholics.

Early colonial failures

Several European countries attempted to found colonies in the Americas after 1500. Most of those attempts ended in failure. The colonists themselves faced high rates of death from disease, starvation, inefficient resupply, conflict with Native Americans, attacks by rival European powers, and other causes.

Spain had numerous failed attempts, including San Miguel de Gualdape in Georgia (1526), Pánfilo de Narváez's expedition to Florida's Gulf coast (1528–36), Pensacola in West Florida (1559–61), Fort San Juan in North Carolina (1567–68), and the Ajacán Mission in Virginia (1570–71). The French failed at Parris Island, South Carolina (1562–63), Fort Caroline on Florida's Atlantic coast (1564–65), Saint Croix Island, Maine (1604–05), and Fort Saint Louis, Texas (1685–89). The most notable English failures were the "Lost Colony of Roanoke" (1583–90) in North Carolina and Popham Colony in Maine (1607–08). It was at the Roanoke Colony that Virginia Dare became the first English child born in America; her fate is unknown.

New Spain

Starting in the 16th century, Spain built a colonial empire in the Americas consisting of New Spain and other vice-royalties. New Spain included territories in Florida, Alabama, Mississippi, much of the United States west of the Mississippi River, parts of Latin America (including Puerto Rico), and the Spanish East Indies (including Guam and the Northern

Mariana Islands). New Spain encompassed the territory of Louisiana after the Treaty of Fontainebleau (1762), though Louisiana reverted to France in the 1800 Third Treaty of San Ildefonso.

Many territories that had been part of New Spain became part of the United States after 1776 through various wars and treaties, including the Louisiana Purchase (1803), the Adams–Onís Treaty (1819), the Mexican–American War (1846–1848), and the Spanish–American War (1898). There were also several Spanish expeditions to the Pacific Northwest, but Spain gave the United States all claims to the Pacific Northwest in the Adams–Onís Treaty. There were several thousand families in New Mexico and California who became American citizens in 1848, plus small numbers in the other colonies.

Florida

Spain established several small outposts in Florida in the early 16th century. The most important of these was St. Augustine, founded in 1565 but repeatedly attacked and burned by pirates, privateers, and English forces, and nearly all the Spanish left after the Treaty of Paris (1763) ceded Florida to Great Britain. Certain First Spanish Period structures remain today, especially those made of coquina, a limestone quarried nearby.

The British attacked Spanish Florida during numerous wars. As early as 1687, the Spanish government had begun to offer asylum to slaves from British colonies, and the Spanish Crown officially proclaimed in 1693 that runaway slaves would find freedom in Florida in return for converting to Catholicism and

four years of military service to the Spanish Crown. In effect, Spaniards created a maroon settlement in Florida as a front-line defense against English attacks from the north. This settlement was centered at Fort Mose. Spain also intended to destabilize the plantation economy of the British colonies by creating a free black community to attract slaves. Notable British raids on St. Augustine were James Moore's 1702 raid and James Oglethorpe's 1740 siege.

In 1763, Spain traded Florida to Great Britain in exchange for control of Havana, Cuba, which the British had captured during the Seven Years' War. Florida was home to about 3,000 Spaniards at the time, and nearly all quickly left. Britain occupied Florida but did not send many settlers to the area. Dr. Andrew Turnbull's failed colony at New Smyrna, however, resulted in hundreds of Menoricans, Greeks, and Italians settling in St. Augustine in 1777. During the American Revolution, East and West Florida were Loyalist colonies. Spain regained control of Florida in 1783 by the Peace of Paris which ended the Revolutionary War. Spain sent no more settlers or missionaries to Florida during the Second Spanish Period. The inhabitants of West Florida revolted against the Spanish in 1810 and formed the Republic of West Florida, which was quickly annexed by the United States. The United States took possession of East Florida in 1821 according to the terms of the Adams-Onís Treaty.

New Mexico

Throughout the 16th century, Spain explored the southwest from Mexico, with the most notable explorer being Francisco Coronado, whose expedition rode throughout modern New

Mexico and Arizona, arriving in New Mexico in 1540. The Spanish moved north from Mexico, settling villages in the upper valley of the Rio Grande, including much of the western half of the present-day state of New Mexico. The capital of Santa Fe was settled in 1610 and remains the oldest continually inhabited settlement in the United States. Local Indians expelled the Spanish for 12 years following the Pueblo Revolt of 1680; they returned in 1692 in the bloodless reoccupation of Santa Fe. Control was by Spain (223 years) and Mexico (25 years) until 1846, when the American Army of the West took over in the Mexican–American War. About a third of the population in the 21st century is descended from the Spanish settlers.

California

Spanish explorers sailed along the coast of present-day California from the early 16th century to the mid-18th century, but no settlements were established over those centuries.

From 1769 until the independence of Mexico in 1820, Spain sent missionaries and soldiers to Alta California who created a series of missions operated by Franciscan priests. They also operated *presidios* (forts), *pueblos* (settlements), and ranchos (land grant ranches), along the southern and central coast of California. Father Junípero Serra, founded the first missions in Spanish upper *Las Californias*, starting with Mission San Diego de Alcalá in 1769. Through the Spanish and Mexican eras they eventually comprised a series of 21 missions to spread Roman Catholicism among the local Native Americans, linked by *El Camino Real* ("The Royal Road"). They were established to convert the indigenous peoples of California,

while protecting historic Spanish claims to the area. The missions introduced European technology, livestock, and crops. The Indian Reductions converted the native peoples into groups of Mission Indians; they worked as laborers in the missions and the ranchos. In the 1830s the missions were disbanded and the lands sold to Californios. The indigenous Native American population was around 150,000; the *Californios* (Mexican era Californians) around 10,000; including immigrant Americans and other nationalities involved in trade and business in California.

Puerto Rico

In September 1493, Christopher Columbus set sail on his second voyage with 17 ships from Cádiz. On November 19, 1493 he landed on the island of Puerto Rico, naming it *San Juan Bautista* in honor of Saint John the Baptist. The first European colony, Caparra, was founded on August 8, 1508, by Juan Ponce de León, a lieutenant under Columbus, who was greeted by the Taíno Cacique Agüeybaná and who later became the first governor of the island.

Ponce de Leon was actively involved in the Higüey massacre of 1503 in Puerto Rico. In 1508, Sir Ponce de Leon was chosen by the Spanish Crown to lead the conquest and slavery of the Taíno Indians for gold mining operations. The following year, the colony was abandoned in favor of a nearby island on the coast, named Puerto Rico (Rich Port), which had a suitable harbor. In 1511, a second settlement, San Germán was established in the southwestern part of the island. During the 1520s, the island took the name of Puerto Rico while the port became San Juan.

As part of the colonization process, African slaves were brought to the island in 1513. Following the decline of the Taíno population, more slaves were brought to Puerto Rico; however, the number of slaves on the island paled in comparison to those in neighboring islands. Also, early in the colonization of Puerto Rico, attempts were made to wrest control of Puerto Rico from Spain. The Caribs, a raiding tribe of the Caribbean, attacked Spanish settlements along the banks of the Daguao and Macao rivers in 1514 and again in 1521 but each time they were easily repelled by the superior Spanish firepower. However, these would not be the last attempts at control of Puerto Rico. The European powers quickly realized the potential of the lands not yet colonized by Europeans and attempted to gain control of them. Nonetheless, Puerto Rico remained a Spanish possession until the 19th century.

The last half of the 19th century was marked by the Puerto Rican struggle for sovereignty. A census conducted in 1860 revealed a population of 583,308. Of these, 300,406 (51.5%) were white and 282,775 (48.5%) were persons of color, the latter including people of primarily African heritage, mulattos and mestizos. The majority of the population in Puerto Rico was illiterate (83.7%) and lived in poverty, and the agricultural industry—at the time, the main source of income—was hampered by lack of road infrastructure, adequate tools and equipment, and natural disasters, including hurricanes and droughts. The economy also suffered from increasing tariffs and taxes imposed by the Spanish Crown. Furthermore, Spain had begun to exile or jail any person who called for liberal reforms. The Spanish–American War broke out in 1898, in the aftermath of the explosion of USS *Maine* in Havana harbor. The

U.S. defeated Spain by the end of the year, and won control of Puerto Rico in the ensuing peace treaty. In the Foraker Act of 1900, the U.S. Congress established Puerto Rico's status as an unincorporated territory.

New France

New France was the vast area centered on the Saint Lawrence River, Great Lakes, Mississippi River and other major tributary rivers that was explored and claimed by France starting in the early 17th century. It was composed of several colonies: Acadia, Canada, Newfoundland, Louisiana, Île-Royale (present-day Cape Breton Island), and Île Saint Jean (present-day Prince Edward Island). These colonies came under British or Spanish control after the French and Indian War, though France briefly re-acquired a portion of Louisiana in 1800. The United States would gain much of New France in the 1763 Treaty of Paris, and the U.S. would acquire another portion of French territory with the Louisiana Purchase of 1803. The remainder of New France became part of Canada, with the exception of the French island of Saint Pierre and Miquelon.

Pays d'en Haut

By 1660, French fur trappers, missionaries and military detachments based in Montreal pushed west along the Great Lakes upriver into the Pays d'en Haut and founded outposts at Green Bay, Fort de Buade and Saint Ignace (both at Michilimackinac), Sault Sainte Marie, Vincennes, and Detroit in 1701. During the French and Indian War (1754–1763) many of these settlements became occupied by the British. By 1773,

the population of Detroit was 1,400. At the end of the War for Independence in 1783, the region south of the Great Lakes formally became part of the United States.

Illinois Country

The Illinois country by 1752 had a French population of 2,500; it was located to the west of the *Ohio Country* and was concentrated around Kaskaskia, Cahokia, and Sainte Genevieve.

Louisiana

French claims to French Louisiana stretched thousands of miles from modern Louisiana north to the largely unexplored Midwest, and west to the Rocky Mountains. It was generally divided into Upper and Lower Louisiana. This vast tract was first settled at Mobile and Biloxi around 1700, and continued to grow when 7,000 French immigrants founded New Orleans in 1718.

Settlement proceeded very slowly; New Orleans became an important port as the gateway to the Mississippi River, but there was little other economic development because the city lacked a prosperous hinterland.

In 1763, Louisiana was ceded to Spain around New Orleans and west of the Mississippi River. In the 1780s, the western border of the newly independent United States stretched to the Mississippi River. The United States reached an agreement with Spain for navigation rights on the river and was content to let the "feeble" colonial power stay in control of the area. The situation changed when Napoleon forced Spain to return

Louisiana to France in 1802 and threatened to close the river to American vessels. Alarmed, the United States offered to buy New Orleans.

Napoleon needed funds to wage another war with Great Britain, and he doubted that France could defend such a huge and distant territory. He therefore offered to sell all of Louisiana for \$15 million. The United States completed the Louisiana Purchase in 1803, doubling the size of the nation.

New Netherland

Nieuw-Nederland, or New Netherland, was a colonial province of the Republic of the Seven United Netherlands chartered in 1614, in what became New York State, New Jersey, and parts of other neighboring states. The peak population was less than 10,000. The Dutch established a patroon system with feudal-like rights given to a few powerful landholders; they also established religious tolerance and free trade. The colony's capital of New Amsterdam was founded in 1625 and located at the southern tip of the island of Manhattan, which grew to become a major world city.

The city was captured by the English in 1664; they took complete control of the colony in 1674 and renamed it New York. However the Dutch landholdings remained, and the Hudson River Valley maintained a traditional Dutch character until the 1820s. Traces of Dutch influence remain in present-day northern New Jersey and southeastern New York State, such as homes, family surnames, and the names of roads and whole towns.

New Sweden

New Sweden (Swedish: *Nya Sverige*) was a Swedish colony that existed along the Delaware River Valley from 1638 to 1655 and encompassed land in present-day Delaware, southern New Jersey, and southeastern Pennsylvania. The several hundred settlers were centered around the capital of Fort Christina, at the location of what is today the city of Wilmington, Delaware. The colony also had settlements near the present-day location of Salem, New Jersey (Fort Nya Elfsborg) and on Tinicum Island, Pennsylvania. The colony was captured by the Dutch in 1655 and merged into New Netherland, with most of the colonists remaining. Years later, the entire New Netherland colony was incorporated into England's colonial holdings.

The colony of New Sweden introduced Lutheranism to America in the form of some of the continent's oldest European churches. The colonists also introduced the log cabin to America, and numerous rivers, towns, and families in the lower Delaware River Valley region derive their names from the Swedes. The Nothnagle Log House in present-day Gibbstown, New Jersey, was constructed in the late 1630s during the time of the New Sweden colony. It remains the oldest European-built house in New Jersey and is believed to be one of the oldest surviving log houses in the United States.

Russian colonies

Russia explored the area that became Alaska, starting with the Second Kamchatka expedition in the 1730s and early 1740s. Their first settlement was founded in 1784 by Grigory

Shelikhov. The Russian-American Company was formed in 1799 with the influence of Nikolay Rezanov, for the purpose of buying sea otters for their fur from native hunters. In 1867, the U.S. purchased Alaska, and nearly all Russians abandoned the area except a few missionaries of the Russian Orthodox Church working among the natives.

English colonies

England made its first successful efforts at the start of the 17th century for several reasons. During this era, English proto-nationalism and national assertiveness blossomed under the threat of Spanish invasion, assisted by a degree of Protestant militarism and the energy of Queen Elizabeth. At this time, however, there was no official attempt by the English government to create a colonial empire. Rather the motivation behind the founding of colonies was piecemeal and variable. Practical considerations played their parts, such as commercial enterprise, over-crowding, and the desire for freedom of religion. The main waves of settlement came in the 17th century. After 1700, most immigrants to Colonial America arrived as indentured servants, young unmarried men and women seeking a new life in a much richer environment. The consensus view among economic historians and economists is that the indentured servitude occurred largely as "an institutional response to a capital market imperfection," but that it "enabled prospective migrants to borrow against their future earnings in order to pay the high cost of passage to America." Between the late 1610s and the American Revolution, the British shipped an estimated 50,000 to 120,000 convicts to its American colonies.

Alexander Hamilton (1712–1756) was a Scottish-born doctor and writer who lived and worked in Annapolis, Maryland. Leo Lemay says that his 1744 travel diary *Gentleman's Progress: The Itinerarium of Dr. Alexander Hamilton* is "the best single portrait of men and manners, of rural and urban life, of the wide range of society and scenery in colonial America." His diary has been widely used by scholars, and covers his travels from Maryland to Maine. Biographer Elaine Breslaw says that he encountered:

- the relatively primitive social milieu of the New World. He faced unfamiliar and challenging social institutions: the labor system that relied on black slaves, extraordinarily fluid social statuses, distasteful business methods, unpleasant conversational quirks, as well as variant habits of dress, food, and drink.

Chesapeake Bay area

Virginia

The first successful English colony was Jamestown, established May 14, 1607, near Chesapeake Bay. The business venture was financed and coordinated by the London Virginia Company, a joint-stock company looking for gold. Its first years were extremely difficult, with very high death rates from disease and starvation, wars with local Indians, and little gold. The colony survived and flourished by turning to tobacco as a cash crop. By the late 17th century, Virginia's export economy was largely based on tobacco, and new, richer settlers came in to take up large portions of land, build large plantations and

import indentured servants and slaves. In 1676, Bacon's Rebellion occurred, but was suppressed by royal officials. After Bacon's Rebellion, African slaves rapidly replaced indentured servants as Virginia's main labor force.

The colonial assembly shared power with a royally appointed governor. On a more local level, governmental power was invested in county courts, which were self-perpetuating (the incumbents filled any vacancies and there never were popular elections). As cash crop producers, Chesapeake plantations were heavily dependent on trade with England. With easy navigation by river, there were few towns and no cities; planters shipped directly to Britain. High death rates and a very young population profile characterized the colony during its first years.

Randall Miller points out that "America had no titled aristocracy... although one aristocrat, Lord Thomas Fairfax, did take up residence in Virginia in 1734." Lord Fairfax (1693–1781) was a Scottish baron who came to America permanently to oversee his family's vast land holdings. Historian Arthur Schlesinger says that he "was unique among the permanent comers in bearing so high a rank as baron." He was a patron of George Washington and was not disturbed during the war.

New England

Puritans

The Pilgrims were a small group of Puritan separatists who felt that they needed to physically distance themselves from the Church of England. They initially moved to the Netherlands,

then decided to re-establish themselves in America. The initial Pilgrim settlers sailed to North America in 1620 on the *Mayflower*. Upon their arrival, they drew up the Mayflower Compact, by which they bound themselves together as a united community, thus establishing the small Plymouth Colony. William Bradford was their main leader. After its founding, other settlers traveled from England to join the colony.

The non-separatist Puritans constituted a much larger group than the Pilgrims, and they established the Massachusetts Bay Colony in 1629 with 400 settlers. They sought to reform the Church of England by creating a new, pure church in the New World. By 1640, 20,000 had arrived; many died soon after arrival, but the others found a healthy climate and an ample food supply.

The Plymouth and Massachusetts Bay colonies together spawned other Puritan colonies in New England, including the New Haven, Saybrook, and Connecticut colonies. During the 17th century, the New Haven and Saybrook colonies were absorbed by Connecticut.

The Puritans created a deeply religious, socially tight-knit, and politically innovative culture that still influences the modern United States. They hoped that this new land would serve as a "redeemer nation". They fled England and attempted to create a "nation of saints" or a "City upon a Hill" in America: an intensely religious, thoroughly righteous community designed to be an example for all of Europe.

Economically, Puritan New England fulfilled the expectations of its founders. The Puritan economy was based on the efforts of self-supporting farmsteads that traded only for goods which

they could not produce themselves, unlike the cash crop-oriented plantations of the Chesapeake region. There was a generally higher economic standing and standard of living in New England than in the Chesapeake. New England became an important mercantile and shipbuilding center, along with agriculture, fishing, and logging, serving as the hub for trading between the southern colonies and Europe.

Other New England

Providence Plantation was founded in 1636 by Roger Williams on land provided by Narragansett sachem Canonicus. Williams was a Puritan who preached religious tolerance, separation of Church and State, and a complete break with the Church of England.

He was banished from the Massachusetts Bay Colony over theological disagreements, and he and other settlers founded Providence Plantation based on an egalitarian constitution providing for majority rule "in civil things" and "liberty of conscience" in religious matters. In 1637, a second group including Anne Hutchinson established a second settlement on Aquidneck Island, also known as Rhode Island.

Other colonists settled to the north, mingling with adventurers and profit-oriented settlers to establish more religiously diverse colonies in New Hampshire and Maine. These small settlements were absorbed by Massachusetts when it made significant land claims in the 1640s and 1650s, but New Hampshire was eventually given a separate charter in 1679. Maine remained a part of Massachusetts until achieving statehood in 1820.

Dominion of New England

Under King James II of England, the New England colonies, New York, and the Jerseys were briefly united as the Dominion of New England (1686–89). The administration was eventually led by Governor Sir Edmund Andros and seized colonial charters, revoked land titles, and ruled without local assemblies, causing anger among the population.

The 1689 Boston revolt was inspired by England's Glorious Revolution against James II and led to the arrest of Andros, Boston Anglicans, and senior dominion officials by the Massachusetts militia. Andros was jailed for several months, then returned to England. The Dominion of New England was dissolved and governments resumed under their earlier charters.

However, the Massachusetts charter had been revoked in 1684, and a new one was issued in 1691 that combined Massachusetts and Plymouth into the Province of Massachusetts Bay. King William III sought to unite the New England colonies militarily by appointing the Earl of Bellomont to three simultaneous governorships and military command over Connecticut and Rhode Island. However, these attempts at unified control failed.

Middle Colonies

The Middle Colonies consisted of the present-day states of New York, New Jersey, Pennsylvania, and Delaware and were characterized by a large degree of diversity—religious, political, economic, and ethnic.

The Dutch colony of New Netherland was taken over by the English and renamed New York. However, large numbers of Dutch remained in the colony, dominating the rural areas between New York City and Albany. Meanwhile, Yankees from New England started moving in, as did immigrants from Germany. New York City attracted a large polyglot population, including a large black slave population.

New Jersey began as a division of New York, and was divided into the proprietary colonies of East and West Jersey for a time.

Pennsylvania was founded in 1681 as a proprietary colony of Quaker William Penn.

The main population elements included the Quaker population based in Philadelphia, a Scotch Irish population on the Western frontier, and numerous German colonies in between. Philadelphia became the largest city in the colonies with its central location, excellent port, and a population of about 30,000.

By the mid-18th century, Pennsylvania was basically a middle-class colony with limited deference to the small upper-class. A writer in the *Pennsylvania Journal* summed it up in 1756:

- The People of this Province are generally of the middling Sort, and at present pretty much upon a Level. They are chiefly industrious Farmers, Artificers or Men in Trade; they enjoy in [are fond of] Freedom, and the *meanest among them* thinks he has a right to Civility from the greatest.

South

The predominant culture of the south was rooted in the settlement of the region by British colonists. In the seventeenth century, most voluntary colonists were of English origins who settled chiefly along the coastal regions of the Eastern seaboard. The majority of early British settlers were indentured servants, who gained freedom after enough work to pay off their passage. The wealthier men who paid their way received land grants known as headrights, to encourage settlement.

The French and Spanish established colonies in Florida, Louisiana, and Texas. The Spanish colonized Florida in the 16th century, with their communities reaching a peak in the late 17th century. In the British and French colonies, most colonists arrived after 1700. They cleared land, built houses and outbuildings, and worked on the large plantations that dominated export agriculture. Many were involved in the labor-intensive cultivation of tobacco, the first cash crop of Virginia. With a decrease in the number of British willing to go to the colonies in the eighteenth century, planters began importing more enslaved Africans, who became the predominant labor force on the plantations. Tobacco exhausted the soil quickly, requiring new fields to be cleared on a regular basis. Old fields were used as pasture and for crops such as corn and wheat, or allowed to grow into woodlots.

Rice cultivation in South Carolina became another major commodity crop. Some historians have argued that slaves from the lowlands of western Africa, where rice was a basic crop, provided key skills, knowledge and technology for irrigation

and construction of earthworks to support rice cultivation. The early methods and tools used in South Carolina were congruent with those in Africa. British colonists would have had little or no familiarity with the complex process of growing rice in fields flooded by irrigation works.

In the mid- to late-18th century, large groups of Scots and Ulster-Scots (later called the Scots-Irish) immigrated and settled in the back country of Appalachia and the Piedmont. They were the largest group of colonists from the British Isles before the American Revolution. In a census taken in 2000 of Americans and their self-reported ancestries, areas where people reported 'American' ancestry were the places where, historically, many Scottish, Scotch-Irish and English Borderer Protestants settled in America: the interior as well as some of the coastal areas of the South, and especially the Appalachian region. The population with some Scots and Scots-Irish ancestry may number 47 million, as most people have multiple heritages, some of which they may not know.

The early colonists, especially the Scots-Irish in the back-country, engaged in warfare, trade, and cultural exchanges. Those living in the backcountry were more likely to join with Creek Indians, Cherokee, and Choctaws and other regional native groups.

The oldest university in the South, The College of William & Mary, was founded in 1693 in Virginia; it pioneered in the teaching of political economy and educated future U.S. Presidents Jefferson, Monroe and Tyler, all from Virginia. Indeed, the entire region dominated politics in the First Party System era: for example, four of the first five Presidents—

Washington, Jefferson, Madison, and Monroe — were from Virginia. The two oldest public universities are also in the South: the University of North Carolina (1795) and the University of Georgia (1785).

The colonial South included the plantation colonies of the Chesapeake region (Virginia, Maryland, and, by some classifications, Delaware) and the lower South (Carolina, which eventually split into North and South Carolina; and Georgia).

Chesapeake society

The top five percent or so of the white population of Virginia and Maryland in the mid-18th century were planters who possessed growing wealth and increasing political power and social prestige. They controlled the local Anglican church, choosing ministers and handling church property and disbursing local charity. They sought election to the House of Burgesses or appointment as justice of the peace.

About 60 percent of white Virginians were part of a broad middle class that owned substantial farms. By the second generation, death rates from malaria and other local diseases had declined so much that a stable family structure was possible.

The bottom third owned no land and verged on poverty. Many were recent arrivals, recently released from indentured servitude. In some districts near present-day Washington DC, 70 percent of the land was owned by a handful of families, and three-fourths of the whites had no land at all. Large numbers of Irish and German Protestants had settled in the frontier districts, often moving down from Pennsylvania. Tobacco was

not important here; farmers focused on hemp, grain, cattle, and horses. Entrepreneurs had begun to mine and melt the local iron ores.

Sports occupied a great deal of attention at every social level, starting at the top. In England, hunting was sharply restricted to landowners and enforced by armed gamekeepers. In America, game was more than plentiful. Everyone could and did hunt, including servants and slaves. Poor men with good rifle skills won praise; rich gentlemen who were off target won ridicule. In 1691, governor Sir Francis Nicholson organized competitions for the "better sort of Virginians onely who are Batchelors," and he offered prizes "to be shot for, wrestled, played at backswords, & Run for by Horse and foott."

Horse racing was the main event. The typical farmer did not own a horse in the first place, and racing was a matter for gentlemen only, but ordinary farmers were spectators and gamblers. Selected slaves often became skilled horse trainers. Horse racing was especially important for knitting together the gentry. The race was a major public event designed to demonstrate to the world the superior social status of the gentry through expensive breeding, training, boasting, and gambling, and especially winning the races themselves. Historian Timothy Breen explains that horse racing and high-stakes gambling were essential to maintaining the status of the gentry. When they publicly bet a large sum on their favorite horse, it told the world that competitiveness, individualism, and materialism were the core elements of gentry values.

Historian Edmund Morgan (1975) argues that Virginians in the 1650s and for the next two centuries turned to slavery and a

racial divide as an alternative to class conflict. "Racism made it possible for white Virginians to develop a devotion to the equality that English republicans had declared to be the soul of liberty." That is, white men became politically much more equal than was possible without a population of low-status slaves.

By 1700, the Virginia population reached 70,000 and continued to grow rapidly from a high birth rate, low death rate, importation of slaves from the Caribbean, and immigration from Britain, Germany, and Pennsylvania. The climate was mild; the farm lands were cheap and fertile.

Carolinas

The Province of Carolina was the first attempted English settlement south of Virginia. It was a private venture, financed by a group of English Lords Proprietors who obtained a Royal Charter to the Carolinas in 1663, hoping that a new colony in the south would become profitable like Jamestown. Carolina was not settled until 1670, and even then the first attempt failed because there was no incentive for emigration to that area. Eventually, however, the Lords combined their remaining capital and financed a settlement mission to the area led by Sir John Colleton. The expedition located fertile and defensible ground at what became Charleston, originally Charles Town for Charles II of England. The original settlers in South Carolina established a lucrative trade in food for the slave plantations in the Caribbean. The settlers came mainly from the English colony of Barbados and brought enslaved Africans with them. Barbados was a wealthy sugarcane plantation island, one of the early English colonies to use large numbers of Africans in

plantation-style agriculture. The cultivation of rice was introduced during the 1690s and became an important export crop. At first, South Carolina was politically divided. Its ethnic makeup included the original settlers (a group of rich, slave-owning English settlers from the island of Barbados) and Huguenots, a French-speaking community of Protestants. Nearly continuous frontier warfare during the era of King William's War and Queen Anne's War drove economic and political wedges between merchants and planters. The disaster of the 1715 Yamasee War threatened the colony's viability and set off a decade of political turmoil. By 1729, the proprietary government had collapsed, and the Proprietors sold both colonies back to the British crown.

North Carolina had the smallest upper-class. The richest 10 percent owned about 40 percent of all land, compared to 50 to 60 percent in neighboring Virginia and South Carolina. There were no cities of any size and very few towns, so there was scarcely an urban middle class at all. Heavily rural North Carolina was dominated by subsistence farmers with small operations. In addition, one-fourth of the whites had no land at all.

Georgia

British Member of Parliament James Oglethorpe established the Georgia Colony in 1733 as a solution to two problems. At that time, tension was high between Spain and Great Britain, and the British feared that Spanish Florida was threatening the British Carolinas. Oglethorpe decided to establish a colony in the contested border region of Georgia and to populate it with debtors who would otherwise have been imprisoned according

to standard British practice. This plan would both rid Great Britain of its undesirable elements and provide her with a base from which to attack Florida. The first colonists arrived in 1733.

Georgia was established on strict moralistic principles. Slavery was officially forbidden, as were alcohol and other forms of immorality. However, the reality of the colony was far different. The colonists rejected a moralistic lifestyle and complained that their colony could not compete economically with the Carolina rice plantations. Georgia initially failed to prosper, but the restrictions were eventually lifted, slavery was allowed, and it became as prosperous as the Carolinas. The colony of Georgia never had an established religion; it consisted of people of various faiths.

East and West Florida

Spain ceded Florida to Great Britain in 1763, which established the colonies of East and West Florida. The Floridas remained loyal to Great Britain during the American Revolution. They were returned to Spain in 1783 in exchange for the Bahamas, at which time most of the British left. The Spanish then neglected the Floridas; few Spaniards lived there when the US bought the area in 1819.

Unification of the British colonies

Colonial wars: a common defense

Efforts began as early as the 1640s toward a common defense of the colonies, principally against shared threats from

Indians, the French, and the Dutch. The Puritan colonies of New England formed a confederation to coordinate military and judicial matters. From the 1670s, several royal governors attempted to find means of coordinating defensive and offensive military matters, notably Sir Edmund Andros (who governed New York, New England, and Virginia at various times) and Francis Nicholson (governed Maryland, Virginia, Nova Scotia, and Carolina). After King Phillips War, Andros successfully negotiated the Covenant Chain, a series of Indian treaties that brought relative calm to the frontiers of the middle colonies for many years.

The northern colonies experienced numerous assaults from the Wabanaki Confederacy and the French from Acadia during the four French and Indian Wars, particularly present-day Maine and New Hampshire, as well as Father Rale's War and Father Le Loutre's War.

One event that reminded colonists of their shared identity as British subjects was the War of the Austrian Succession (1740–1748) in Europe. This conflict spilled over into the colonies, where it was known as "King George's War". The major battles took place in Europe, but American colonial troops fought the French and their Indian allies in New York, New England, and Nova Scotia with the Siege of Louisbourg (1745).

At the Albany Congress of 1754, Benjamin Franklin proposed that the colonies be united by a Grand Council overseeing a common policy for defense, expansion, and Indian affairs. The plan was thwarted by colonial legislatures and King George II, but it was an early indication that the British colonies of North America were headed towards unification.

French and Indian War

The French and Indian War (1754–1763) was the American extension of the general European conflict known as the Seven Years' War. Previous colonial wars in North America had started in Europe and then spread to the colonies, but the French and Indian War is notable for having started in North America and spread to Europe. One of the primary causes of the war was increasing competition between Britain and France, especially in the Great Lakes and Ohio valley.

The French and Indian War took on a new significance for the British North American colonists when William Pitt the Elder decided that major military resources needed to be devoted to North America in order to win the war against France. For the first time, the continent became one of the main theaters of what could be termed a "world war". During the war, the position of the British colonies as part of the British Empire was made truly apparent, as British military and civilian officials took on an increased presence in the lives of Americans.

The war also increased a sense of American unity in other ways. It caused men to travel across the continent who might otherwise have never left their own colony, fighting alongside men from decidedly different backgrounds who were nonetheless still "American". Throughout the course of the war, British officers trained American ones for battle, most notably George Washington, which benefitted the American cause during the Revolution. Also, colonial legislatures and officials had to cooperate intensively, for the first time, in pursuit of the continent-wide military effort. The relations between the

British military establishment and the colonists were not always positive, setting the stage for later distrust and dislike of British troops.

In the Treaty of Paris (1763), France formally ceded to Britain the eastern part of its vast North American empire, having secretly given to Spain the territory of Louisiana west of the Mississippi River the previous year. Before the war, Britain held the thirteen American colonies, most of present-day Nova Scotia, and most of the Hudson Bay watershed. Following the war, Britain gained all French territory east of the Mississippi River, including Quebec, the Great Lakes, and the Ohio River valley. Britain also gained Spanish Florida, from which it formed the colonies of East and West Florida. In removing a major foreign threat to the thirteen colonies, the war also largely removed the colonists' need of colonial protection.

The British and colonists triumphed jointly over a common foe. The colonists' loyalty to the mother country was stronger than ever before. However, disunity was beginning to form. British Prime Minister William Pitt the Elder had decided to wage the war in the colonies with the use of troops from the colonies and tax funds from Britain itself.

This was a successful wartime strategy but, after the war was over, each side believed that it had borne a greater burden than the other. The British elite, the most heavily taxed of any in Europe, pointed out angrily that the colonists paid little to the royal coffers. The colonists replied that their sons had fought and died in a war that served European interests more than their own. This dispute was a link in the chain of events that soon brought about the American Revolution.

Ties to the British Empire

The colonies were very different from one another but they were still a part of the British Empire in more than just name. Demographically, the majority of the colonists traced their roots to the British Isles and many of them still had family ties with Great Britain. Socially, the colonial elite of Boston, New York, Charleston, and Philadelphia saw their identity as British. Many had never lived in Britain in over a few generations, yet they imitated British styles of dress, dance, and etiquette. This social upper echelon built its mansions in the Georgian style, copied the furniture designs of Thomas Chippendale, and participated in the intellectual currents of Europe, such as the Enlightenment. The seaport cities of colonial America were truly British cities in the eyes of many inhabitants.

Republicanism

Many of the political structures of the colonies drew upon the republicanism expressed by opposition leaders in Britain, most notably the Commonwealth men and the Whig traditions. Many Americans at the time saw the colonies' systems of governance as modeled after the British constitution of the time, with the king corresponding to the governor, the House of Commons to the colonial assembly, and the House of Lords to the governor's council. The codes of law of the colonies were often drawn directly from English law; indeed, English common law survives not only in Canada, but also throughout the United States. Eventually, it was a dispute over the meaning of some of these political ideals (especially political representation) and republicanism that led to the American Revolution.

Consumption of British goods

Another point on which the colonies found themselves more similar than different was the booming import of British goods. The British economy had begun to grow rapidly at the end of the 17th century and, by the mid-18th century, small factories in Britain were producing much more than the nation could consume. Britain found a market for their goods in the British colonies of North America, increasing her exports to that region by 360% between 1740 and 1770. British merchants offered credit to their customers; this allowed Americans to buy a large amount of British goods. From Nova Scotia to Georgia, all British subjects bought similar products, creating and anglicizing a sort of common identity.

Atlantic world

In recent years, historians have enlarged their perspective to cover the entire Atlantic world in a subfield now known as Atlantic history. Of special interest are such themes as international migration, trade, colonization, comparative military and governmental institutions, the transmission of religions and missionary work, and the slave trade. It was the Age of the Enlightenment, and ideas flowed back and forth across the Atlantic, with Philadelphian Benjamin Franklin playing a major role.

Francois Furstenberg (2008) offers a different perspective on the historical period. He suggests that warfare was critical among the major imperial players: Britain, the American colonies, Spain, France, and the First Nations (Indians). They

fought a series of conflicts from 1754 to 1815 that Furstenberg calls a "Long War for the West" over control of the region.

Women played a role in the emergence of the capitalist economy in the Atlantic world. The types of local commercial exchange in which they participated independently were well integrated with the trade networks between colonial merchants throughout the Atlantic region, especially markets in dairy and produce commodities. For example, local women merchants were important suppliers of foodstuffs to transatlantic shipping concerns.

Growing dissent and the American Revolution

In the colonial era, Americans insisted on their rights as Englishmen to have their own legislature raise all taxes. The British Parliament, however, asserted in 1765 that it held supreme authority to lay taxes, and a series of American protests began that led directly to the American Revolution. The first wave of protests attacked the Stamp Act of 1765, and marked the first time that Americans met together from each of the 13 colonies and planned a common front against British taxation. The Boston Tea Party of 1773 dumped British tea into Boston Harbor because it contained a hidden tax that Americans refused to pay. The British responded by trying to crush traditional liberties in Massachusetts, leading to the American revolution starting in 1775.

The idea of independence steadily became more widespread, after being first proposed and advocated by a number of public figures and commentators throughout the Colonies. One of the most prominent voices on behalf of independence was Thomas

Paine in his pamphlet *Common Sense* published in 1776. Another group that called for independence was the Sons of Liberty, which had been founded in 1765 in Boston by Samuel Adams and which was now becoming even more strident and numerous.

The Parliament began a series of taxes and punishments which met more and more resistance: First Quartering Act (1765); Declaratory Act (1766); Townshend Revenue Act (1767); and Tea Act (1773). In response to the Boston Tea Party, Parliament passed the Intolerable Acts: Second Quartering Act (1774); Quebec Act (1774); Massachusetts Government Act (1774); Administration of Justice Act (1774); Boston Port Act (1774); Prohibitory Act (1775). By this point, the 13 colonies had organized themselves into the Continental Congress and begun setting up independent governments and drilling their militia in preparation for war.

Colonial life

British colonial government

In the British colonies, the three forms of government were provincial (royal colony), proprietary, and charter. These governments were all subordinate to the King of England, with no explicit relationship with the British Parliament. Beginning late in the 17th century, the administration of all British colonies was overseen by the Board of Trade in London. Each colony had a paid colonial agent in London to represent its interests.

New Hampshire, New York, Virginia, North Carolina, South Carolina, Georgia, and eventually Massachusetts were crown colonies. The provincial colony was governed by commissions created at the pleasure of the king. A governor and (in some provinces) his council were appointed by the crown. The governor was invested with general executive powers and authorized to call a locally elected assembly. The governor's council would sit as an upper house when the assembly was in session, in addition to its role in advising the governor. Assemblies were made up of representatives elected by the freeholders and planters (landowners) of the province. The governor had the power of absolute veto and could prorogue (i.e., delay) and dissolve the assembly. The assembly's role was to make all local laws and ordinances, ensuring that they were not inconsistent with the laws of England. In practice, this did not always occur, since many of the provincial assemblies sought to expand their powers and limit those of the governor and crown. Laws could be examined by the British Privy Council or Board of Trade, which also held veto power of legislation.

Pennsylvania (which included Delaware), New Jersey, and Maryland were proprietary colonies. They were governed much as royal colonies except that lord proprietors, rather than the king, appointed the governor. They were set up after the Restoration of 1660 and typically enjoyed greater civil and religious liberty.

Massachusetts, Providence Plantation, Rhode Island, Warwick, and Connecticut were charter colonies. The Massachusetts charter was revoked in 1684 and was replaced by a provincial charter that was issued in 1691. Charter governments were

political corporations created by letters patent, giving the grantees control of the land and the powers of legislative government. The charters provided a fundamental constitution and divided powers among legislative, executive, and judicial functions, with those powers being vested in officials.

Political culture

The primary political cultures of the United States had their origins in the colonial period. Most theories of political culture identify New England, the Mid-Atlantic, and the South as having formed separate and distinct political cultures.

As Bonomi shows, the most distinctive feature of colonial society was the vibrant political culture, which attracted the most talented and ambitious young men into politics. First, suffrage was the most generous in the world, with every man allowed to vote who owned a certain amount of property. Fewer than one-percent of British men could vote, whereas a majority of American freemen were eligible. The roots of democracy were present, although deference was typically shown to social elites in colonial elections.

Second, a very wide range of public and private business was decided by elected bodies in the colonies, especially the assemblies and county governments in each colony. They handled land grants, commercial subsidies, and taxation, as well as oversight of roads, poor relief, taverns, and schools. Americans sued each other at a very high rate, with binding decisions made not by a great lord but by local judges and juries. This promoted the rapid expansion of the legal

profession, so that the intense involvement of lawyers in politics became an American characteristic by the 1770s.

Third, the American colonies were exceptional in the world because of the representation of many different interest groups in political decision-making. The American political culture was open to economic, social, religious, ethnic, and geographical interests, with merchants, landlords, petty farmers, artisans, Anglicans, Presbyterians, Quakers, Germans, Scotch Irish, Yankees, Yorkers, and many other identifiable groups taking part. Elected representatives learned to listen to these interests because 90% of the men in the lower houses lived in their districts, unlike England where it was common to have an absentee member of Parliament. All of this was very unlike Europe, where aristocratic families and the established church were in control.

Finally and most dramatically, the Americans were fascinated by and increasingly adopted the political values of Republicanism which stressed equal rights, the need for virtuous citizens, and the evils of corruption, luxury, and aristocracy. Republicanism provided the framework for colonial resistance to British schemes of taxation after 1763, which escalated into the Revolution.

None of the colonies had stable political parties of the sort that formed in the 1790s, but each had shifting factions that vied for power, especially in the perennial battles between the appointed governor and the elected assembly. There were often "country" and "court" factions, representing those opposed to the governor's agenda and those in favor of it, respectively. Massachusetts had particularly low requirements for voting

eligibility and strong rural representation in its assembly from its 1691 charter; consequently, it also had a strong populist faction that represented the province's lower classes.

Up and down the colonies, non-English ethnic groups had clusters of settlements. The most numerous were the Scotch Irish and the Germans. Each group assimilated into the dominant English, Protestant, commercial, and political culture, albeit with local variations. They tended to vote in blocs, and politicians negotiated with group leaders for votes. They generally retained their historic languages and cultural traditions, even as they merged into the developing American culture.

Ethnocultural factors were most visible in Pennsylvania. During 1756–76, the Quakers were the largest faction in the legislature, but they were losing their dominance to the growing Presbyterian faction based on Scotch-Irish votes, supported by Germans.

Medical conditions

Mortality was very high for new arrivals, and high for children in the colonial era. Malaria was deadly to many new arrivals in the Southern colonies. For an example of newly arrived able-bodied young men, over one-fourth of the Anglican missionaries died within five years of their arrival in the Carolinas.

Mortality was high for infants and small children, especially from diphtheria, yellow fever, and malaria. Most sick people turned to local healers and used folk remedies. Others relied upon the minister-physicians, barber-surgeons, apothecaries,

midwives, and ministers; a few used colonial physicians trained either in Britain or an apprenticeship in the colonies. There was little government control, regulation of medical care, or attention to public health. Colonial physicians introduced modern medicine to the cities in the 18th century, following the models in England and Scotland, and made some advances in vaccination, pathology, anatomy, and pharmacology.

Religion

The religious history of the United States began with the Pilgrim settlers who came on the Mayflower in 1620. Their Separatist faith motivated their move from Europe. The Spanish set up a network of Catholic missions in California, but they had all closed decades before 1848 when California became a state. There were a few important French Catholic churches and institutions in New Orleans.

Most of the settlers came from Protestant backgrounds in England and Western Europe, with a small proportion of Catholics (chiefly in Maryland) and a few Jews in port cities. The English and the Germans brought along multiple Protestant denominations.

Several colonies had an "established" church, which meant that local tax money went to the denomination.

Freedom of religion became a basic American principle, and numerous new movements emerged, many of which became established denominations in their own right. The Puritans of New England kept in close touch with non-conformists in England, as did the Quakers and the Methodists.

Church membership statistics by denomination are unreliable and scarce from the colonial period, but Anglicans were not in the majority by the time of the American Revolutionary War and probably did not comprise even 30 percent of the population in the Southern Colonies (Maryland, Virginia, North Carolina, South Carolina, and Georgia) where the Church of England was the established church.

There were approximately 2,900 churches in the Thirteen Colonies by the time of the Revolutionary War, of which 82 to 84 percent were affiliated with non-Anglican Protestant denominations, with 76 to 77 percent specifically affiliated with British Dissenter denominations (Congregational, Presbyterian, Baptist, or Quaker) or continental Calvinists (Dutch Reformed or German Reformed), 5 to 8 percent being Lutheran; there was also a population of approximately 10,000 Methodists. 14 to 16 percent remained Anglican but were declining in number, and the remaining 2 percent of the churches were Catholic.

Three of the New England Colonies had established churches prior to the Revolutionary War, all Congregational (Massachusetts Bay, Connecticut, and New Hampshire), while the Middle Colonies (New York, New Jersey, Pennsylvania, and Delaware) and the Colony of Rhode Island and Providence Plantations had no established churches. Local taxes paid the salary of the clergy in the established churches, and the parish had civic responsibilities such as poor relief and promoting education. The local gentry controlled the budget, rather than the clergy. Anglicans in America were under the authority of the Bishop of London, who sent out missionaries and ordained men from the Colonies to minister in American parishes.

Historians debate how influential Christianity was in the era of the American Revolution. Many of the founding fathers were active in a local church; some of them had Deist sentiments, such as Jefferson, Franklin, and Washington. Catholics were few outside of Maryland; however, they joined the Patriot cause during the Revolution. Leaders such as George Washington strongly endorsed tolerance for them and indeed for all denominations.

Great Awakening

The First Great Awakening was the nation's first major religious revival, occurring in the middle of the 18th century, and it injected new vigor into Christian faith. It was a wave of religious enthusiasm among Protestants that swept the colonies in the 1730s and 1740s, leaving a permanent impact on American religion. Jonathan Edwards was a key leader and a powerful intellectual in colonial America. George Whitefield came over from England and made many converts.

The Great Awakening emphasized the traditional Reformed virtues of Godly preaching, rudimentary liturgy, and a deep awareness of personal sin and redemption by Christ Jesus, spurred on by powerful preaching that deeply affected listeners. Pulling away from ritual and ceremony, the Great Awakening made religion personal to the average person.

The Awakening had a major impact in reshaping the Congregational, Presbyterian, Dutch Reformed, and German Reformed denominations, and it strengthened the small Baptist and Methodist denominations. It brought Christianity to the slaves and was a powerful event in New England that

challenged established authority. It incited rancor and division between the new revivalists and the old traditionalists who insisted on ritual and liturgy. The Awakening had little impact on Anglicans and Quakers.

The First Great Awakening focused on people who were already church members, unlike the Second Great Awakening that began around 1800 and reached out to the unchurched. It changed their rituals, their piety, and their self-awareness. The new style of sermons and the way that people practiced their faith breathed new life into religion in America. People became passionately and emotionally involved in their religion, rather than passively listening to intellectual discourse in a detached manner. Ministers who used this new style of preaching were generally called "new lights", while the traditional-styled preachers were called "old lights".

People began to study the Bible at home, which effectively decentralized the means of informing the public on religious matters and was akin to the individualistic trends present in Europe during the Protestant Reformation.

Women's roles

The experiences of women varied greatly from colony to colony during the colonial era. In New England, the Puritan settlers brought their strong religious values with them to the New World, which dictated that a woman be submissive to her husband and dedicate herself to rearing God-fearing children to the best of her ability.

There were ethnic differences in the treatment of women. Among Puritan settlers in New England, wives almost never

worked in the fields with their husbands. In German communities in Pennsylvania, however, many women worked in fields and stables. German and Dutch immigrants granted women more control over property, which was not permitted in the local English law. Unlike English colonial wives, German and Dutch wives owned their own clothes and other items and were also given the ability to write wills disposing of the property brought into the marriage.

By the mid-18th century, the values of the American Enlightenment became established and weakened the view that husbands were natural "rulers" over their wives. There was a new sense of shared marriage. Legally, husbands took control of wives' property when marrying. Divorce was almost impossible until the late eighteenth century.

Slavery

About 305,326 slaves were transported to America, or less than 2% of the 12 million slaves taken from Africa. The great majority went to sugarcane-growing colonies in the Caribbean and to Brazil, where life expectancy was short and the numbers had to be continually replenished. Life expectancy was much greater in the American colonies because of better food, less disease, lighter work loads, and better medical care, so the population grew rapidly, reaching 4 million by the 1860 Census. From 1770 until 1860, the birth rate of American slaves was much greater than for the population of any nation in Europe, and was nearly twice as rapid as that of England.

The conditions the Caribbean and Brazilian enslaved populations endured in the early colonial years prompted many

attempts at fleeing plantation work. Successfully escaped slaves often fled to "maroon communities" which were populated with former slaves along with local Native Americans that helped shelter the recently escaped. Subsequent treaties with Maroon communities suggest that these communities were a burden on South American and Caribbean plantations. While the inhumane working conditions coupled with slave revolts in the Caribbean Islands and Brazilian plantations called for the increased imports of African slaves, in the colonies many plantation owners recognized their ability to maintain a generation of slaves for the economic benefit of allowing natural reproduction to increase the population. This led to the following generations of the enslaved population to be American born.

Urban life

Historian Carl Bridenbaugh examined in depth five key cities: Boston (population 16,000 in 1760), Newport Rhode Island (population 7500), New York City (population 18,000), Philadelphia (population 23,000), and Charles Town (Charlestown, South Carolina), (population 8000). He argues they grew from small villages to take major leadership roles in promoting trade, land speculation, immigration, and prosperity, and in disseminating the ideas of the Enlightenment, and new methods in medicine and technology. Furthermore, they sponsored a consumer taste for English amenities, developed a distinctly American educational system, and began systems for care of people in need.

The colonists were not remarkable by European standards, but they did display certain distinctly American characteristics,

according to Bridenbaugh. There was no aristocracy or established church, there was no long tradition of powerful guilds. The colonial governments were much less powerful and intrusive than corresponding national governments in Europe. They experimented with new methods to raise revenue, build infrastructure, and solve urban problems. They were more democratic than European cities, in that a large fraction of the men could vote, and class lines were more fluid. Contrasted to Europe, printers (especially as newspaper editors) had a much larger role in shaping public opinion, and lawyers moved easily back and forth between politics and their profession. Bridenbaugh argues that by the mid-18th century, the middle-class businessmen, professionals, and skilled artisans dominated the cities. He characterizes them as "sensible, shrewd, frugal, ostentatiously moral, generally honest," public spirited, and upwardly mobile, and argues their economic strivings led to "democratic yearnings" for political power.

There were few cities in the entire South, and Charleston (Charles Town) and New Orleans were the most important before the Civil War. The colony of South Carolina was settled mainly by planters from the overpopulated British sugar island colony of Barbados, who brought large numbers of African slaves from that island.

New England

In New England, the Puritans created self-governing communities of religious congregations of farmers (or yeomen) and their families. High-level politicians gave out plots of land to settlers (or proprietors) who then divided the land amongst themselves. Large portions were usually given to men of higher

social standing, but every man who wasn't indentured or criminally bonded had enough land to support a family. Every male citizen had a voice in the town meeting. The town meeting levied taxes, built roads, and elected officials who managed town affairs. The towns did not have courts; that was a function of the county, whose officials were appointed by the state government.

The Congregational Church which the Puritans founded was not automatically joined by all New England residents because of Puritan beliefs that God singled out specific people for salvation. Instead, membership was limited to those who could convincingly "test" before members of the church that they had been saved. They were known as "the elect" or "Saints."

On October 19, 1652, the Massachusetts General Court decreed that "for the prevention of clipping of all such pieces of money as shall be coined with-in this jurisdiction, it is ordered by this Courte and the authorite thereof, that henceforth all pieces of money coined shall have a double ring on either side, with this inscription, Massachusetts, and a tree in the center on one side, and New England and the yeare of our Lord on the other side. "These coins were the famous "tree" pieces. There were Willow Tree Shillings, Oak Tree Shillings, and Pine Tree Shillings" minted by John Hull and Robert Sanderson in the "Hull Mint" on Summer Street in Boston, Massachusetts. "The Pine Tree was the last to be coined, and today there are specimens in existence, which is probably why all of these early coins are referred to as Pine Tree shillings." The "Hull Mint" was forced to close in 1683. In 1684 the charter of Massachusetts was revoked by the king Charles II.

Farm and family life

A majority of New England residents were small farmers. A man had complete power over the property within these small farm families.

When married, an English woman gave up her maiden name. The role of wives was to raise and nurture healthy children and support their husbands. Most women carried out these duties. During the 18th century, couples usually married between the ages of 20–24, and 6–8 children were typical of a family, with three on average surviving to adulthood. Farm women provided most of the materials needed by the rest of the family by spinning yarn from wool and knitting sweaters and stockings, making candles and soap from ashes, and churning milk into butter.

Most New England parents tried to help their sons establish farms of their own. When sons married, fathers gave them gifts of land, livestock, or farming equipment; daughters received household goods, farm animals, or cash. Arranged marriages were very unusual; normally, children chose their own spouses from within a circle of suitable acquaintances who shared their race, religion, and social standing. Parents retained veto power over their children's marriages.

New England farming families generally lived in wooden houses because of the abundance of trees. A typical New England farmhouse was one-and-a-half stories tall and had a strong frame (usually made of large square timbers) that was covered by wooden clapboard siding. A large chimney stood in the middle of the house that provided cooking facilities and

warmth during the winter. One side of the ground floor contained a hall, a general-purpose room where the family worked and ate meals. Adjacent to the hall was the parlor, a room used to entertain guests that contained the family's best furnishings and the parents' bed. Children slept in a loft above, while the kitchen was either part of the hall or was located in a shed along the back of the house. Colonial families were large, and these small dwellings had much activity and there was little privacy.

By the middle of the 18th century, New England's population had grown dramatically, going from about 100,000 people in 1700 to 250,000 in 1725 and 375,000 in 1750 thanks to high birth rates and relatively high overall life expectancy. (A 15-year-old boy in 1700 could expect to live to about 63.) Colonists in Massachusetts, Connecticut, and Rhode Island continued to subdivide their land between farmers; the farms became too small to support single families, and this threatened the New England ideal of a society of independent yeoman farmers.

Some farmers obtained land grants to create farms in undeveloped land in Massachusetts and Connecticut or bought plots of land from speculators in New Hampshire and what later became Vermont. Other farmers became agricultural innovators. They planted nutritious English grass such as red clover and timothy-grass, which provided more feed for livestock, and potatoes, which provided a high production rate that was an advantage for small farms. Families increased their productivity by exchanging goods and labor with each other. They lent livestock and grazing land to one another and worked together to spin yarn, sew quilts, and shuck corn.

Migration, agricultural innovation, and economic cooperation were creative measures that preserved New England's yeoman society until the 19th century.

Town life

By the mid-18th century in New England, shipbuilding was a staple, particularly as the North American wilderness offered a seemingly endless supply of timber. (By comparison, Europe's forests had been depleted, and most timber had to be purchased from Scandinavia.) The British crown often turned to the inexpensive yet strongly built American ships. There was a shipyard at the mouth of almost every river in New England.

By 1750, a variety of artisans, shopkeepers, and merchants provided services to the growing farming population. Blacksmiths, wheelwrights, and furniture makers set up shops in rural villages. There they built and repaired goods needed by farm families. Stores were set up by traders selling English manufactures such as cloth, iron utensils, and window glass, as well as West Indian products such as sugar and molasses. The storekeepers of these shops sold their imported goods in exchange for crops and other local products, including roof shingles, potash, and barrel staves. These local goods were shipped to towns and cities all along the Atlantic Coast. Enterprising men set up stables and taverns along wagon roads to serve this transportation system.

These products were delivered to port towns such as Boston and Salem in Massachusetts, New Haven in Connecticut, and Newport and Providence in Rhode Island. Merchants then exported them to the West Indies, where they were traded for

molasses, sugar, gold coins, and bills of exchange (credit slips). They carried the West Indian products to New England factories, where the raw sugar was turned into granulated sugar and the molasses distilled into rum. The gold and credit slips were sent to England where they were exchanged for manufactures, which were shipped back to the colonies and sold along with the sugar and rum to farmers.

Other New England merchants took advantage of the rich fishing areas along the Atlantic Coast and financed a large fishing fleet, transporting its catch of mackerel and cod to the West Indies and Europe. Some merchants exploited the vast amounts of timber along the coasts and rivers of northern New England. They funded sawmills that supplied cheap wood for houses and shipbuilding. Hundreds of New England shipwrights built oceangoing ships, which they sold to British and American merchants.

Many merchants became very wealthy by providing their goods to the agricultural population, and ended up dominating the society of sea port cities. Unlike yeoman farmhouses, these merchants lived in elegant 2+1/2-story houses designed in the new Georgian style, imitating the lifestyle of the upper class of England. These Georgian houses had symmetrical façades with equal numbers of windows on both sides of the central door. The interior consisted of a passageway down the middle of the house with specialized rooms off the sides, such as a library, dining room, formal parlor, and master bedroom. Unlike the multi-purpose space of the yeoman houses, each of these rooms served a separate purpose. These houses contained bedrooms on the second floor that provided privacy to parents and children.

Culture and education

- Education was primarily the responsibility of families, but numerous religious groups established tax-supported elementary schools, especially the Puritans in New England, so that their children could read the Bible. Nearly all the religious denominations set up their own schools and colleges to train ministers. Each city and most towns had private academies for the children of affluent families.

John Hull "the earliest scholar who can now be named of Philemon Pormort, whose school, the only one in Boston, the first school of public instruction in Massachusetts ", Boston Latin School.

The practical sciences were of great interest to colonial Americans, who were engaged in the process of taming and settling a wild frontier country. The mainstream of intellectual activity in the colonies was on technological and engineering developments rather than more abstract topics such as politics or metaphysics. American scientific activity was pursued by such people as:

- David Rittenhouse, who constructed the first planetarium in the Western Hemisphere
- New York lieutenant governor Cadwallader Colden, botanist and anthropologist
- Benjamin Rush, physician, social reformer, and member of the American Philosophical Society

- Benjamin Franklin, founder of the above American Philosophical society who contributed important discoveries to physics such as electricity, but was more successful in his practical inventions, such as stoves and lightning rods

The arts in colonial America were not as successful as the sciences. Literature in the European sense was nearly nonexistent, with histories being far more noteworthy. These included *The History and present State of Virginia* (1705) by Robert Beverly and *History of the Dividing Line* (1728–29) by William Byrd, which was not published until a century later. Instead, the newspaper was the principal form of reading material in the colonies. Printing was expensive, and most publications focused on purely practical matters, such as major news, advertisements, and business reports. Almanacs were very popular, also, Benjamin Franklin's *Poor Richard's Almanac* being the most famous. Literary magazines appeared at mid-century, but few were profitable and most went out of business after only a few years. American publications never approached the intellectual quality of European writers, but they were much more widespread and achieved a greater readership than anything produced by Voltaire, Locke, or Rousseau.

New Englanders wrote journals, pamphlets, books, and especially sermons—more than all of the other colonies combined. Boston minister Cotton Mather published *Magnalia Christi Americana* (The Great Works of Christ in America, 1702), while revivalist Jonathan Edwards wrote his philosophical work *A Careful and Strict Enquiry Into...Notions of...Freedom of Will...* (1754). Most music had a religious

theme, as well, and was mainly the singing of Psalms. Because of New England's deep religious beliefs, artistic works that were insufficiently religious or too "worldly" were banned, especially the theater. The leading theologian and philosopher of the colonial era was Jonathan Edwards of Massachusetts, an interpreter of Calvinism and the leader of the First Great Awakening.

Art and drama were somewhat more successful than literature. Benjamin West was a noteworthy painter of historical subjects, and two first-rate portrait painters emerged in John Copley and Gilbert Stuart, yet all three men spent much of their lives in London.

Theater was more developed in the Southern colonies, especially South Carolina, but nowhere did stage works attain the level of Europe. Puritans in New England and Quakers in Pennsylvania opposed theatrical performances as immoral and ungodly.

Elementary education was widespread in New England. Early Puritan settlers believed that it was necessary to study the Bible, so children were taught to read at an early age. It was also required that each town pay for a primary school. About 10 percent enjoyed secondary schooling and funded grammar schools in larger towns. Most boys learned skills from their fathers on the farm or as apprentices to artisans. Few girls attended formal schools, but most were able to get some education at home or at so-called "Dame schools" where women taught basic reading and writing skills in their own houses. By 1750, nearly 90% of New England's women and almost all of its men could read and write.

Puritans founded Harvard College in 1636 and Yale College in 1701. Later, Baptists founded Rhode Island College (now Brown University) in 1764 and Congregationalists established Dartmouth College in 1769. Virginia founded the College of William and Mary in 1693; it was primarily Anglican. The colleges were designed for aspiring ministers, lawyers, or doctors. There were no departments or majors, as every student shared the same curriculum, which focused on Latin and Greek, mathematics, and history, philosophy, logic, ethics, rhetoric, oratory, and a little basic science. There were no sports or fraternities and few extracurricular activities apart from literary societies. There were no separate seminaries, law schools, or divinity schools. The first medical schools were founded late in the colonial era in Philadelphia and New York.

Religion

Some emigrants who came to Colonial America were in search of religious freedom. London did not make the Church of England official in the colonies—it never sent a bishop—so religious practice became diverse.

The *Great Awakening* was a major religious revival movement that took place in most colonies in the 1730s and 1740s. The movement began with Jonathan Edwards, a Massachusetts preacher who sought to return to the Pilgrims' Calvinist roots and to reawaken the "Fear of God." English preacher George Whitefield and other itinerant preachers continued the movement, traveling throughout the colonies and preaching in a dramatic and emotional style. Followers of Edwards and other preachers called themselves the "New Lights", as contrasted with the "Old Lights" who disapproved of their

movement. To promote their viewpoints, the two sides established academies and colleges, including Princeton and Williams College. The Great Awakening has been called the first truly American event.

A similar pietistic revival movement took place among some German and Dutch settlers, leading to more divisions. By the 1770s, the Baptists were growing rapidly both in the north (where they founded Brown University) and in the South (where they challenged the previously unquestioned moral authority of the Anglican establishment).

Delaware Valley and Mid-Atlantic region

Unlike New England, the Mid-Atlantic region gained much of its population from new immigration and, by 1750, the combined populations of New York, New Jersey, and Pennsylvania had reached nearly 300,000 people. By 1750, about 60,000 Irish and 50,000 Germans came to live in British North America, many of them settling in the Mid-Atlantic Region. William Penn founded the colony of Pennsylvania in 1682, and attracted an influx of British Quakers with his policies of religious liberty and freehold ownership. ("Freehold" meant owning land free and clear, with the right to resell it to anyone.) The first major influx of settlers were the Scotch Irish who headed to the frontier. Many Germans came to escape the religious conflicts and declining economic opportunities in Germany and Switzerland.

Thousands of poor German farmers, chiefly from the Palatine region of Germany, migrated to upstate districts after 1700. They kept to themselves, married their own, spoke German,

attended Lutheran churches, and retained their own customs and foods. They emphasized farm ownership. Some mastered English to become conversant with local legal and business opportunities. They ignored the Indians and tolerated slavery (although few were rich enough to own a slave).

Ways of life

Much of the architecture of the Middle Colonies reflects the diversity of its people. In Albany and New York City, a majority of the buildings were Dutch style with brick exteriors and high gables at each end, while many Dutch churches were octagonal. German and Welsh settlers in Pennsylvania used cut stone to build their houses, following the way of their homeland and completely ignoring the plethora of timber in the area. An example of this would be Germantown, Pennsylvania where 80 percent of the buildings in the town were made entirely of stone. On the other hand, settlers from Ireland took advantage of America's ample supply of timber and constructed sturdy log cabins.

Ethnic cultures also affected styles of furniture. Rural Quakers preferred simple designs in furnishings such as tables, chairs, and chests, and shunned elaborate decorations. However, some urban Quakers had much more elaborate furniture. The city of Philadelphia became a major center of furniture-making because of its massive wealth from Quaker and British merchants. Philadelphian cabinet makers built elegant desks and highboys. German artisans created intricately carved designs on their chests and other furniture, with painted scenes of flowers and birds. German potters also crafted a large array of jugs, pots, and plates of both elegant and

traditional design. By the time of the Revolutionary War, approximately 85 percent of white Americans were of English, Irish, Welsh, or Scottish descent. Approximately 8.8 percent of whites were of German ancestry, and 3.5 percent were of Dutch origin.

Farming

Ethnicity made a difference in agricultural practice. As an example, German farmers generally preferred oxen rather than horses to pull their plows and Scots-Irish made a farming economy based on hogs and corn. Eventually, cows were brought with the horses. They were more useful than horses for many reasons. Almost all the farms had cows on their land. In Ireland, people farmed intensively, working small pieces of land trying to get the largest possible production rate from their crops. In the American colonies, settlers from northern Ireland focused on mixed farming. Using this technique, they grew corn for human consumption and as feed for hogs and other livestock.

Many improvement-minded farmers of all different backgrounds began using new agricultural practices to raise their output. During the 1750s, these agricultural innovators replaced the hand sickles and scythes used to harvest hay, wheat, and barley with the cradle scythe, a tool with wooden fingers that arranged the stalks of grain for easy collection. This tool was able to triple the amount of work done by farmers in one day. Farmers also began fertilizing their fields with dung and lime and rotating their crops to keep the soil fertile. By 1700, Philadelphia was exporting 350,000 bushels of wheat and 18,000 tons of flour annually. The Southern colonies in

particular relied on cash crops such as tobacco and cotton. South Carolina produced rice and indigo. North Carolina was somewhat less involved in the plantation economy, but because a major producer of naval stores. Virginia and Maryland came to be almost totally dependent on tobacco, which would ultimately prove fatal at the end of the 18th century thanks to exhausted soil and collapsing prices, but for most of the century, the soil remained good and a single-crop economy profitable.

Before 1720, most colonists in the mid-Atlantic region worked with small-scale farming and paid for imported manufactures by supplying the West Indies with corn and flour. In New York, a fur-pelt export trade to Europe flourished adding additional wealth to the region. After 1720, mid-Atlantic farming stimulated with the international demand for wheat. A massive population explosion in Europe brought wheat prices up. By 1770, a bushel of wheat cost twice as much as it did in 1720. Farmers also expanded their production of flax seed and corn since flax was a high demand in the Irish linen industry and a demand for corn existed in the West Indies.

Thus, by mid-century, most colonial farming was a commercial venture, although subsistence agriculture continued to exist in New England and the middle colonies. Some immigrants who just arrived purchased farms and shared in this export wealth, but many poor German and Irish immigrants were forced to work as agricultural wage laborers. Merchants and artisans also hired these homeless workers for a domestic system for the manufacture of cloth and other goods. Merchants often bought wool and flax from farmers and employed newly arrived immigrants, who had been textile workers in Ireland and

Germany, to work in their homes spinning the materials into yarn and cloth. Large farmers and merchants became wealthy, while farmers with smaller farms and artisans only made enough for subsistence. The Mid-Atlantic region, by 1750, was divided by both ethnic background and wealth.

Seaports

Seaports that expanded from the wheat trade had more social classes than anywhere else in the Middle Colonies. By 1773, the population of Philadelphia had reached 40,000, New York 25,000, and Baltimore 6,000. Merchants dominated seaport society, and about 40 merchants controlled half of Philadelphia's trade. Wealthy merchants in Philadelphia and New York, like their counterparts in New England, built elegant Georgian-style mansions such as those in Fairmount Park.

Shopkeepers, artisans, shipwrights, butchers, coopers, seamstresses, cobblers, bakers, carpenters, masons, and many other specialized crafts made up the middle class of seaport society. Wives and husbands often worked as a team and taught their children their skills to pass it on through the family. Many of these artisans and traders made enough money to create a modest life. Laborers stood at the bottom of seaport society. These poor people worked on the docks unloading inbound vessels and loading outbound vessels with wheat, corn, and flax seed. Many of these were African American; some were free, while others were enslaved. In 1750, blacks made up about 10 percent of the population of New York and Philadelphia. Hundreds of seamen worked as sailors on merchant ships, some of whom were African American.

Southern colonies

The Southern colonies were mainly dominated by the wealthy planters in Maryland, Virginia, and South Carolina. They owned increasingly large plantations that were worked by African slaves. Of the 650,000 inhabitants of the South in 1750, about 250,000 or 40 percent, were slaves. The plantations grew tobacco, indigo and rice for export, and raised most of their own food supplies. In addition, many small subsistence farms were family owned and operated by yeoman. Most white men owned some land, and therefore could vote.

Women in the South

Historians have paid special attention to the role of women, family, and gender in the colonial South since the social history revolution in the 1970s.

Very few women were present in the early Chesapeake colonies. In 1650, estimates put Maryland's total population near six hundred, with fewer than two hundred women present. Much of the population consisted of young, single, white indentured servants and, as such, the colonies lacked social cohesiveness, to a large degree. African women entered the colony as early as 1619, although their status remains a historical debate—free, slave, or indentured servant.

In the 17th century, high mortality rates for newcomers and a very high ratio of men to women made family life either impossible or unstable for most colonists. These factors made families and communities fundamentally different from their counterparts in Europe and New England in the Virginia-

Maryland region before 1700, along with dispersed settlements and a reluctance to live in villages, together with a growing immigration of white indentured servants and black slaves. These extreme conditions both demeaned and empowered women.

Women were often vulnerable to exploitation and abuse, especially teenage girls who were indentured servants and lacking male protectors. On the other hand, young women had much more freedom in choosing spouses, without parental oversight, and the shortage of eligible women enabled them to use marriage as an avenue to upward mobility. The high death rates meant that Chesapeake wives generally became widows who inherited property; many widows increased their property by remarrying as soon as possible. The population began to stabilize around 1700, with a 1704 census listing 30,437 white people present with 7,163 of those being women. Women married younger, remained wed longer, bore more children, and lost influence within the family polity.

Chapter 4

Liberalism in the United States

Liberalism in the United States is a political and moral philosophy based on concepts of unalienable rights of the individual. The fundamental liberal ideals of freedom of speech, freedom of the press, freedom of religion, the separation of church and state, the right to due process and equality under the law are widely accepted as a common foundation of liberalism.

It differs from liberalism worldwide because the United States has never had a resident hereditary aristocracy and avoided much of the class warfare that characterized Europe. According to Ian Adams, "all US parties are liberal and always have been. Essentially they espouse classical liberalism, that is a form of democratized Whig constitutionalism plus the free market. The point of difference comes with the influence of social liberalism" and the proper role of government.

Modern liberalism includes issues such as same-sex marriage, reproductive and other women's rights, voting rights for all adult citizens, civil rights, environmental justice and government protection of the right to an adequate standard of living. National social services such as equal educational opportunities, access to health care and transportation infrastructure are intended to meet the responsibility to promote the general welfare of all citizens as established by the United States Constitution. Some liberals, who call themselves *classical liberals*, *fiscal conservatives* or *libertarians*, endorse fundamental liberal ideals, but they diverge from modern

liberal thought, claiming that economic freedom is more important than equality and that providing for general welfare as enumerated in the General Welfare Clause exceeds the legitimate role of government.

Since the 1930s, the term *liberalism* is usually used without a qualifier to refer to social liberalism, a variety of liberalism that endorses a regulated market economy and the expansion of civil and political rights, with the common good considered as compatible with or superior to the freedom of the individual. This political philosophy was exemplified by Franklin D. Roosevelt's New Deal policies and later Lyndon B. Johnson's Great Society. Other accomplishments include the Works Progress Administration and the Social Security Act in 1935 as well as the Civil Rights Act of 1964 and the Voting Rights Act of 1965. This variety of liberalism is also known as *modern liberalism* to distinguish it from *classical liberalism*, from which it sprang out along with *modern conservatism*.

History

18th and 19th century

The origins of American liberalism are in the political ideals of the Age of Enlightenment. The Constitution of the United States of 1787 established the first modern republic, with sovereignty in the people (not in a monarch) and no hereditary ruling aristocracy. However, the Constitution limited liberty, in particular by accepting slavery. The Founding Fathers recognized the contradiction, but they believed they needed a nation unified enough to survive in the world.

During the late 18th and 19th centuries, the United States extended liberty to ever broader classes of people. The states abolished many restrictions on voting for white males during the early 19th century. The Constitution was amended in 1865 to abolish slavery and in 1870 to extend the vote to black men.

Progressive Era

As the United States economy began shifting to manufacturing and services during the 19th century, liberals started to consider corruption and concentrations of economic power (called trusts at the time) as threats to liberty. During the Progressive Era of the early 20th century, laws were passed restricting monopolies and regulating railroad rates.

According to James Reichley, the term liberalism took on its current meaning in the United States during the 1920s. In the 19th century and the early 20th century, the term had usually described classical liberalism, which emphasizes limited government, religious freedom, and support for the free market. The term progressivism, meanwhile, had been used to describe individuals like Theodore Roosevelt, who favored a limited amount of government activism. During the 1920s, the term progressive became associated with politicians such as Robert M. La Follette, who called for government ownership of railroads and utilities in his 1924 third-party presidential bid. Progressivism thus gained an association with radicalism that advocates of more moderate reforms sought to avoid. The term was also unattractive to certain groups because of its longstanding association with the Republican Party and the Social Gospel movement. In the late 1920s and 1930s, political figures such as Franklin D. Roosevelt increasingly adopted the

term liberal to describe an individual who favored some government activism, but was opposed to more radical reforms.

20th century

New Deal

In the 1930s, liberalism came to describe a pragmatic ideology that called for a moderate amount of government regulation of the economy, progressive taxation, and increased exercise of federal government power in relation to the states. It also came to signify support for organized labor and a degree of hostility, or at least suspicion, of big business. Liberalism did retain some aspects of the term's usage prior to the 1930s, including support for civil liberties and secularism. These positions were contrasted with those to their political left, who favored greater changes, and with conservatives, who opposed these changes.

President Franklin D. Roosevelt came to office in 1933, amid the economic calamity of the Great Depression, offering the nation a New Deal intended to alleviate economic want and unemployment, provide greater opportunities and restore prosperity. The presidency of Franklin D. Roosevelt (1933–1945), the longest in the United States history, was marked by an increased role for the federal government in addressing the nation's economic and other problems. Work relief programs provided jobs, ambitious projects such as the Tennessee Valley Authority promoted economic development and a social-security system laid the groundwork for the nation's modern welfare system. The Great Depression dragged on through the 1930s despite the New Deal programs, which were met with mixed success in solving the nation's economic problems.

Economic progress for minorities was hindered by discrimination, about which the Roosevelt administration did less than subsequent administrations, but more than had been done before.

The New Deal provided direct relief for minorities in the 1930s through the Civilian Conservation Corps (CCC), Public Works Administration (PWA), the Works Progress Administration (WPA) and other agencies and during World War II executive orders and the Fair Employment Practices Commission opened millions of new jobs to minorities and forbade discrimination in companies with government contracts. The 1.5 million black veterans in 1945 were fully entitled to generous veteran benefits from the GI Bill on the same basis as everyone else.

The New Deal consisted of three types of programs designed to produce "Relief, Recovery and Reform". Relief was the immediate effort to help the one-third of the population that was hardest hit by the depression. Roosevelt expanded Herbert Hoover's Emergency Relief and Construction program (ERCA) and added the CCC, the PWA and the WPA, the latter replacing in 1935 the Federal Emergency Relief Administration (FERA). Also in 1935, the Social Security Act and unemployment insurance programs were added. The Social Security Act provided retirement and disability income for Americans unable to work or unable to find jobs. Separate programs were set up for relief in rural areas such as the Resettlement Administration and Farm Security Administration. Recovery programs sought to restore the economy to pre-depression levels. It involved deficit spending, dropping the gold standard, efforts to re-inflate farm prices that were too low and efforts to increase foreign trade. New Deal efforts to help the United

States recuperate were in part through a much expanded Hoover program, the Reconstruction Finance Corporation (RFC).

Reform was based on the assumption that the depression was caused by the inherent market instability and that government intervention was necessary to rationalize and stabilize the economy and to balance the interests of farmers, business and labor. Reform measures included the National Industrial Recovery Act (NIRA), regulation of Wall Street by the Securities Exchange Act (SEA), the Agricultural Adjustment Act (AAA) for farm programs,

Federal Deposit Insurance Corporation (FDIC) insurance for bank deposits enacted through the Glass-Steagall Act of 1933 and the National Labor Relations Act (NLRA), also known as the Wagner Act, dealing with labor-management relations. Despite some New Dealers's urgings, there was no major antitrust program. Roosevelt opposed socialism (in the sense of state ownership of the means of production) and only one major program, the Tennessee Valley Authority (TVA), involved government ownership of the means of production.

World War II

Roosevelt was president through most of World War II and, anticipating the post-war period, strongly supported proposals to create a United Nations organization as a means of encouraging mutual cooperation to solve problems on the international stage. His commitment to internationalist ideals was in the tradition of Woodrow Wilson, architect of the failed League of Nations. His support led to the eventual

establishment of the United Nations, with the proviso that the United States would have a veto power.

Cold War

American liberalism in the Cold War-era was the immediate heir to Franklin D. Roosevelt's New Deal and the slightly more distant heir to the progressives of the early 20th century. Sol Stern wrote that "Cold War liberalism deserves credit for the greatest American achievement since World War II—winning the Cold War".

The essential tenets of Cold War liberalism can be found in Roosevelt's Four Freedoms (1941). Of these, freedom of speech and of religion were classic liberal freedoms as was freedom from fear (freedom from tyrannical government), but freedom from want was another matter. Roosevelt proposed a notion of freedom that went beyond government non-interference in private lives. Freedom from want could justify positive government action to meet economic needs, an idea more associated with the concepts of Abraham Lincoln's Republican Party, Henry Clay's Whig Party and Alexander Hamilton's economic principles of government intervention and subsidy than the more radical socialism and social democracy of European thinkers, or with prior versions of classical liberalism as represented by Thomas Jefferson's Democratic-Republican Party and Andrew Jackson's Democratic Party.

In the 1950s and 1960s, both major American political parties included liberal and conservative factions. The Democratic Party had on one hand Northern and Western liberals and on the other generally conservative Southern whites. Difficult to

classify were the Northern urban Democratic political machines. The urban machines had supported New Deal economic policies, but they slowly came apart over racial issues. Some historians have divided the Republican Party into liberal Wall Street and conservative Main Street factions while others have noted that the Republican Party's conservatives came from landlocked states (Robert Taft Jr. of Ohio and Barry Goldwater of Arizona) and the liberals tended to come from California (Earl Warren and Pete McCloskey), New York (Nelson Rockefeller) and other coastal states.

Opposing both Communism and conservatism, Cold War liberalism resembled earlier liberalisms in its views on many social issues and personal liberty, but its economic views were not those of free-market Jeffersonian liberalism nor those of European social democrats. They never endorsed state socialism, but they did call for spending on education, science and infrastructure, notably the expansion of NASA and the construction of the Interstate Highway System. Their progressive ideas continued the legacy of Lincoln, Woodrow Wilson, Theodore Roosevelt and Franklin D. Roosevelt. Most prominent and constant among the positions of Cold War liberalism included the following:

- Support for a domestic economy built on a balance of power between labor (in the form of organized unions) and management (with a tendency to be more interested in large corporations than in small business).
- A foreign policy focused on containing Communism based in the Soviet Union and China. Liberals opposed isolationism, détente and rollback.

- The continuation of New Deal social welfare programs, especially Social Security).
- An embrace of Keynesian economics with deficit spending in times of recession. They supported high spending on the military, a policy known as military Keynesianism.

At first, liberals generally did not see Franklin D. Roosevelt's successor Harry S. Truman as one of their own, viewing him as a Democratic Party hack. However, liberal politicians and liberal organizations such as the Americans for Democratic Action (ADA) sided with Truman in opposing Communism both at home and abroad, sometimes at the sacrifice of civil liberties. For example, Hubert Humphrey put before the Senate in 1950 a bill to establish detention centers where those declared subversive by the President could be held without trial, but it did not pass.

Liberals were united in their opposition to McCarthyism.

Decline of Southern liberals

Southern liberals were an essential part of the New Deal coalition as without them Roosevelt lacked majorities in Congress. Typical leaders were Lyndon B. Johnson in Texas, Jim Folsom and John Sparkman in Alabama, Claude Pepper in Florida, Earl Long in Louisiana, Luther H. Hodges in North Carolina and Estes Kefauver in Tennessee. They promoted subsidies for small farmers and supported the nascent labor union movement. An essential condition for this North–South coalition was for Northern liberals to ignore Southern racism. After 1945, Northern liberals, led especially by young Hubert Humphrey of Minnesota, increasingly made civil rights a

central issue. They convinced Truman to join them in 1948. The conservative Southern Democrats, best known as the Dixiecrats, took control of the state parties there and ran Strom Thurmond for president in 1948. Thurmond carried only the Deep South, but that threat was enough to guarantee the national Democratic Party in 1952 and 1956 would not make civil rights a major issue. In 1956, 101 of the 128 Southern Representatives and Senators signed the Southern Manifesto denouncing forced desegregation in 1956. The labor movement in the South was divided and lost its political influence. Southern liberals were in a quandary as most of them kept quiet or moderated their liberalism whilst others switched sides and the minority remnant continued on the liberal path. One by one, the last group was defeated. According to historian Numan V. Bartley, "the very word 'liberal' gradually disappeared from the southern political lexicon, except as a term of opprobrium".

Liberal consensus

By 1950, the liberal ideology was so intellectually dominant that the literary critic Lionel Trilling wrote that "liberalism is not only the dominant but even the sole intellectual tradition, [...] there are no conservative or reactionary ideas in circulation".

For almost two decades, Cold War liberalism remained the dominant paradigm in American politics, peaking with the landslide victory of Lyndon B. Johnson over Barry Goldwater in the 1964 presidential election.

The postwar liberal consensus included acceptance of a modest welfare state and anti-communism domestic and foreign

policies. Some of its elements were shared with embedded liberalism, that aimed to combine benefits of free markets with some interventionist domestic policies.

Civil rights laws

Cold War liberalism emerged at a time when most African-Americans were politically and economically disenfranchised. Beginning with *To Secure These Rights*, an official report issued by the Truman White House in 1947, self-proclaimed liberals increasingly embraced the civil rights movement. In 1948, President Truman desegregated the armed forces and the Democrats inserted a strong civil-rights plank in the party platform even though delegates from the Deep South walked out and nominated a third-party ticket, the Dixiecrats, headed by Strom Thurmond. Truman abolished discrimination in the armed forces, leading to the integration of military units in the early 1950s. However, no civil rights legislation was passed until a weak bill in 1957.

During the 1960s, relations between white liberals and the civil rights movement became increasingly strained as civil-rights leaders accused liberal politicians of temporizing and procrastinating, although they realized they needed the support of liberal Northern Democrats and Republicans for the votes to pass any legislation over Southern obstructionism. Many white liberals believed the grassroots movement for civil rights would only anger many Southern whites and make it even more difficult to pass civil rights laws through Congress. In response to that concern, civil rights leader Martin Luther King Jr. agreed to tone down the March on Washington in 1963. President John F. Kennedy finally endorsed the March

on Washington and proposed what would become the Civil Rights Act of 1964, but he could not get it passed during his lifetime. Lyndon B. Johnson had been a New Deal Democrat in the 1930s and by the 1950s had decided that the Democratic Party had to break from its segregationist past and endorse racial liberalism as well as economic liberalism. Johnson rode the enormous wave of sympathy for the assassinated predecessor.

With help from conservative Republicans led by Everett Dirksen, the Southern filibuster was broken. Johnson enacted a mass of Great Society legislation, headed by the powerful Civil Rights Act of 1964, which outlawed segregation, and the Voting Rights Act of 1965 which reversed state efforts to stop blacks from voting and facilitated their mobilization as millions of new liberal Democratic voters. The result was an immediate end to segregation in most public places (except schools) and an end to restrictions on black voting. Unexpectedly, passage was quickly followed by a wave of black riots in the inner cities which made for the "long hot summers" in every major city from 1964 through 1970. The riots alienated much of the white working-class that had been the base of the labor-union element in the civil-rights coalition.

The civil-rights movement itself was becoming fractured. On March 8, 1964, Malcolm X stated he was going to organize a black-nationalist organization that would try to "heighten the political consciousness" of African-Americans. By 1966, a Black Power movement had emerged. Black Power advocates accused white liberals of trying to control the civil-rights agenda. Proponents of Black Power wanted African-Americans to follow an "ethnic model" for obtaining power, not unlike that

of Democratic political machines in large cities. This put them on a collision course with urban machine politicians and on its edges the Black Power movement contained racial separatists who wanted to give up on integration altogether—a program that could not be endorsed by American liberals of any race. The mere existence of such individuals (who always got more media attention than their actual numbers might have warranted) contributed to "white backlash" against liberals and civil rights activists.

Clashes with the New Left on Vietnam

While the civil rights movement isolated liberals from the white working class and Southern Democrats, the Vietnam War threw another wedge into the liberal ranks, dividing pro-war "hawks" such as Senator Henry M. Jackson from "doves" such as Senator and 1972 presidential candidate George McGovern. As the war became the leading political issue of the day, agreement on domestic matters was not enough to hold the liberal consensus together. Vietnam was part of the strategy of containment of Soviet Communism which began in earnest in 1947 to counter the Soviet threat. In the 1960 presidential campaign, Kennedy was more "hawkish" on Southeast Asia than Richard Nixon. Although the war expanded from 16,000 Americans in Vietnam under Kennedy to 500,000 under Johnson, there was much continuity of their policies, until Nixon arrived in 1969. The deep division between liberals and the New Left, especially on foreign policy, troubled the Democratic Party for decades.

A large portion of the growing opposition to the war came from younger activists, with a strong base on elite university

campuses. They had become alienated from the establishment and formed the New Left. After Johnson did poorly in the 1968 primaries and decided to focus on peacemaking and not run for reelection, tensions rapidly escalated inside the Democratic Party. Assassinations struck down the two top liberals, Martin Luther King Jr. and Robert F. Kennedy. Vice President Hubert Humphrey, by now a cautious moderate who meekly followed Lyndon Johnson in domestic and foreign policy, was the last man standing at the disastrously violent 1968 Democratic National Convention. Much of the party's right-wing, from the South and ethnic white districts in the North, veered off to vote for Alabama Governor George Wallace. The result was a narrow victory for Republican Richard Nixon in a three-way race. Although touted as a conservative, President Nixon, with a Democratic Congress, enacted many liberal policies, including the establishment of the Environmental Protection Agency, normalizing relations with Communist China, and starting the Strategic Arms Limitation Talks to reduce the availability of ballistic missiles.

Liberals vehemently disliked Nixon and he reciprocated in kind with an enemies list. Yet as president, Nixon took many policy positions that can only be described as liberal. Before Nixon was elected, the liberal wing of his own party favored politicians such as Nelson Rockefeller and William Scranton. In 1968 Nixon won the nomination by an appeal to a "silent majority" of conservatives, disgusted and frightened by soaring crime rates and widespread race riots. Using executive orders, he single-handedly created the main environmental agency (the Environmental Protection Agency), something that was achieved without a vote in Congress. He expanded funding for liberal favorites like the National Endowment for the Arts and

the National Endowment for the Humanities. One of his top advisers was liberal Daniel Patrick Moynihan, who said that "Nixon mostly opted for liberal policies, merely clothing them [...] in conservative rhetoric". In addition to support for such liberal causes as the arts and the environment, he supported liberalization of laws against recreational drugs. To the astonishment of conservatives, he imposed wage and price controls to counteract inflation. Noam Chomsky, who often attacks liberalism from the left, has called Nixon "in many respects the last liberal president". Historians increasingly emphasize the liberalism of his administration's policies while not attributing them to Nixon personally.

The 1965–1974 period was a major liberal activist era in congress, with the Democratic-led congress during the presidency of Richard Nixon continuing to produce liberal domestic policies. They organized themselves internally to round up votes, track legislation, mobilize interests, and produce bills without direct assistance from the White House. A wide range of progressive measures were carried out, such as increases in social security (a 20% benefit increase and linkage to automatic cost-of-living increases in 1972), public welfare (with expansion of unemployment compensation, food stamps and supplemental security income additions to social security), workplace rules (with the passage of the Occupational Safety and Health Act in 1970), urban aid (with the addition of mass transit subsidies to highway construction enactments), environmentalism (with the passage of the National Environmental Protection Act of 1969 and the Clean Air Act of 1970), aid to education (including Title IX in 1972), civil rights (with the extension of the Voting Rights Act in 1970) and

nutrition (with the establishment of the Special Supplemental Nutrition Program for Women, Infants and Children in 1972).

The political dominance of the liberal consensus even into the Nixon years can best be seen in policies by, for example, the establishment of the Environmental Protection Agency and also in Nixon's failed proposal to replace the welfare system with a guaranteed annual income by way of a negative income tax. Affirmative action in its most quota-oriented form was a Nixon administration policy. Even the Nixon War on Drugs allocated two-thirds of its funds for treatment, a far higher ratio than was to be the case under any subsequent President, Republican or Democrat. Additionally, Nixon's normalization of diplomatic relations with Communist China and his policy of *détente* with the Soviet Union were likely more popular with liberals than with his conservative base. Nixon also successfully supported a cost-of-living adjustment for Social Security recipients.

An opposing view was offered by Cass R. Sunstein in *The Second Bill of Rights*. He argues that through his Supreme Court appointments, Nixon effectively ended a decades-long expansion under United States law of economic rights along the lines of those put forward in the Universal Declaration of Human Rights, adopted in 1948 by the United Nations General Assembly.

Since the 1970s

During the Nixon years and through the 1970s, the liberal consensus began to come apart. The alliance with white Southern Democrats had been lost in the Civil Rights era.

While the steady enfranchisement of African Americans expanded the electorate to include many new voters sympathetic to liberal views, it was not quite enough to make up for the loss of some Southern Democrats. Organized labor, long a bulwark of the liberal consensus, was past the peak of its power in the United States and many unions had remained in favor of the Vietnam War even as liberal politicians increasingly turned against it. Within the Democratic Party leadership, there was a turn toward moderation on racial themes after the defeat of liberal George McGovern in 1972.

Meanwhile, in the Republican ranks, a new wing of the party emerged. The anti-establishment conservatives who had been aroused by Barry Goldwater in 1964 challenged the more liberal leadership in 1976 and took control of the party under Ronald Reagan in 1980. Liberal Republicans faded away even in their Northeastern strongholds. Reagan successfully lowered marginal tax rates, most notably for those at the top of the income distribution while his Social Security reforms raised taxes on the middle and bottom of the income distribution, leaving their total tax burden unchanged.

More centrist groups, like the Democratic Leadership Council (DLC), supported Bill Clinton and challenged liberals for control of the Democratic Party. Clinton portrayed himself as a centrist New Democrat. Thus, he distanced himself from New Deal Democrats. With help from the Southern-dominated DLC, Clinton claimed the center of national politics. Clinton worked with conservatives and against strong liberal opposition to end some of the main welfare programs and to implement NAFTA, linking the economies of the United States, Canada and Mexico. Clinton pushed to extend liberal ideals in the areas of

health care (where he failed) and environmental protection (where he had more success). On the whole, he came under fierce attack from the left and from many liberals who charged that he betrayed the New Deal traditions of activist government, especially regarding welfare and his collaboration with business.

On January 1, 2013, President Barack Obama succeeded in raising taxes on the rich while keeping them steady on the middle class. On January 21, 2013, Obama delivered his second inaugural address that championed numerous liberal causes.

Varieties

Early liberalism

The United States was the first country to be founded on the liberal ideas of John Locke and other philosophers of the Enlightenment, with no monarchy and no hereditary aristocracy, and while individual states had established religions, the federal government was kept from establishing religion by the First Amendment.

The United States Bill of Rights guarantees every citizen the freedoms advocated by the liberal philosophers, namely equality under the law, freedom of religion, freedom of speech, freedom of the press, the right to gather in peaceful assembly, the right to petition the government for redress of grievances and the right to bear arms, among other freedoms and rights. In this sense, virtually all Americans are liberals.

However, both before and after the country was founded legal questions concerning the scope of these rights and freedoms arose. In the Dred Scott decision of 1856–1857, the Supreme Court ruled that these rights only applied to white men and that blacks had no rights whatsoever that any white man was obliged to respect. Several constitutional amendments after the Dred Scott decision extended the guarantees of the Bill of Rights to larger classes of citizens, to all citizens in 1868, then specifically to blacks in 1870, to women in 1919 and to people unable to afford a poll tax in 1964.

Classical liberalism

In the United States, classical liberalism, also called *laissez-faire* liberalism, is the belief that a free-market economy is the most productive and government interference favors a few and hurts the many—or as Henry David Thoreau stated, "that government is best which governs least". Classical liberalism is a philosophy of individualism and self-responsibility with little concern for groups or sub-communities. Classical liberals in the United States believe that if the economy is left to the natural forces of supply and demand, free of government intervention, the result is the most abundant satisfaction of human wants. Modern classical liberals oppose the concepts of social democracy and the welfare state.

Modern liberalism

In 1883, Lester Frank Ward (1841–1913) published *Dynamic Sociology: Or Applied Social Science, as Based Upon Statical Sociology and the Less Complex Sciences* and laid out the basic tenets of modern American liberalism while at the same time

attacking the *laissez-faire* policies advocated by Herbert Spencer and William Graham Sumner. Ward was a passionate advocate for a sociology that would intelligently and scientifically direct the development of society.

Another influential thinker in the Progressive Era was Herbert Croly (1869–1930). He effectively combined classical liberal theory with progressive philosophy and founded the periodical *The New Republic* to present his ideas. Croly presented the case for a mixed economy, increased spending on education and the creation of a society based on the "brotherhood of mankind". In 1909, Croly published *The Promise of American Life* in which he proposed raising the general standard of living by means of economic planning, though he opposed aggressive unionization. In *The Techniques of Democracy* (1915), Croly argued against both dogmatic individualism and dogmatic socialism. As editor of *The New Republic*, he had the forum to reach the intellectual community.

According to Paul Starr, sociologist at Princeton University:

Liberalism wagers that a state [...] can be strong but constrained—strong because constrained. [...] Rights to education and other requirements for human development and security aim to advance the opportunity and personal dignity of minorities and to promote a creative and productive society. To guarantee those rights, liberals have supported a wider social and economic role for the state, counterbalanced by more robust guarantees of civil liberties and a wider social system of checks and balances anchored in an independent press and pluralistic society.

- — Paul Starr, *The New Republic*, March 2007

Chapter 5

Republicanism in the United States

Republicanism in the United States is the use of the concept of republic, or the political ideals associated with it in the United States.

The political ideals have been discussed since before the concept of republic was introduced legally by Article Four of the United States Constitution. Particularly modern republicanism has been a guiding political philosophy of the United States that has been a major part of American civic thought since its founding. It stresses *liberty* and *inalienable individual rights* as central values; recognizes the sovereignty of the people as the source of all authority in law; rejects monarchy, aristocracy, and hereditary political power; expects citizens to be virtuous and faithful in their performance of civic duties; and vilifies corruption. American republicanism was articulated and first practised by the Founding Fathers in the 18th century. For them, "republicanism represented more than a particular form of government. It was a way of life, a core ideology, an uncompromising commitment to liberty, and a total rejection of aristocracy."

Republicanism was based on Ancient Greco-Roman, Renaissance, and English models and ideas. It formed the basis for the American Revolution, the Declaration of Independence (1776), the Constitution (1787), and the Bill of Rights, as well as the Gettysburg Address (1863).

Republicanism includes guarantees of rights that cannot be repealed by a majority vote. Alexis de Tocqueville warned about the "tyranny of the majority" in a democracy, and suggested the courts should try to reverse the efforts of the majority of terminating the rights of an unpopular minority.

The term 'republicanism' is derived from the term 'republic', but the two words have different meanings. A 'republic' is a form of government (one without a hereditary ruling class); 'republicanism' refers to the values of the citizens in a republic.

Two major parties have used the term in their name – the Democratic-Republican Party of Thomas Jefferson (founded in 1793, and often called the 'Jeffersonian Republican Party' as it is a political antecedent to the Democratic Party), and also the Republican Party, founded in 1854 and named after the Jeffersonian party.

The American Revolution

Republican virtues

The colonial intellectual and political leaders in the 1760s and 1770s closely read history to compare governments and their effectiveness of rule. The Revolutionists were especially concerned with the history of liberty in England and were primarily influenced by the "country party" (which opposed the court party that held power). Country party philosophy relied heavily on the classical republicanism of Roman heritage; it celebrated the ideals of duty and virtuous citizenship in a republic. It drew heavily on ancient Greek city-state and

Roman republican examples. The country party shared some of the political philosophy of Whiggism as well as Tory critics in England which roundly denounced the corruption surrounding the "court party" in London centering on the royal court. This approach produced a political ideology Americans called "republicanism", which was widespread in colonial America by 1775. "Republicanism was the distinctive political consciousness of the entire Revolutionary generation." J.G.A. Pocock explained the intellectual sources in America:

The Whig canon and the neo-Harringtonians, John Milton, James Harrington and Sidney, Trenchard, Gordon and Bolingbroke, together with the Greek, Roman, and Renaissance masters of the tradition as far as Montesquieu, formed the authoritative literature of this culture; and its values and concepts were those with which we have grown familiar: a civic and patriot ideal in which the personality was founded in property, perfected in citizenship but perpetually threatened by corruption; government figuring paradoxically as the principal source of corruption and operating through such means as patronage, faction, standing armies (opposed to the ideal of the militia); established churches (opposed to the Puritan and deist modes of American religion); and the promotion of a monied interest – though the formulation of this last concept was somewhat hindered by the keen desire for readily available paper credit common in colonies of settlement.

American republicanism was centered on limiting corruption and greed. Virtue was of the utmost importance for citizens and representatives. Revolutionaries took a lesson from ancient Rome; they knew it was necessary to avoid the luxury that had destroyed the empire. A virtuous citizen was one who

ignored monetary compensation and made a commitment to resist and eradicate corruption. The republic was sacred; therefore, it was necessary to serve the state in a truly representative way, ignoring self-interest and individual will. Republicanism required the service of those who were willing to give up their own interests for a common good. According to Bernard Bailyn, "The preservation of liberty rested on the ability of the people to maintain effective checks on wielders of power and hence in the last analysis rested on the vigilance and moral stamina of the people. ... " Virtuous citizens needed to be strong defenders of liberty and challenge the corruption and greed in government. The duty of the virtuous citizen became a foundation for the American Revolution.

Cause of revolution

The commitment of Patriots to republican values was a key intellectual foundation of the American Revolution. In particular, the key was Patriots' intense fear of political corruption and the threat it posed to liberty. Bernard Bailyn states, "The fact that the ministerial conspiracy against liberty had risen from corruption was of the utmost importance to the colonists." In 1768 to 1773 newspaper exposés such as John Dickinson's series of "Letters from a Farmer in Pennsylvania" (1767–68) were widely reprinted and spread American disgust with British corruption. The patriot press provided emphasized British corruption, mismanagement, and tyranny. Britain was increasingly portrayed as corrupt and hostile and that of a threat to the very idea of democracy; a threat to the established liberties that colonists enjoyed and to colonial property rights. The greatest threat to liberty was thought by many to be corruption – not just in London but at home as

well. The colonists associated it with luxury and, especially, inherited aristocracy, which they condemned. Historian J.G.A. Pocock argues that Republicanism explains the American Revolution in terms of virtuous Republican resistance to British imperial corruption.

Historian Sarah Purcell studied the sermons preached by the New England patriot clergy in 1774–1776. They stirred up a martial spirit justified war against England. The preachers cited New England's Puritan history in defense of freedom, blamed Britain's depravity and corruption for the necessity of armed conflict. The sermons called on soldiers to behave morally and in a "manly" disciplined fashion. The rhetoric not only encouraged heavy enlistment, but helped create the intellectual climate the Patriots needed to fight a civil war. Historian Thomas Kidd argues that during the Revolution active Christians linked their religion to republicanism. He states, "With the onset of the revolutionary crisis, a major conceptual shift convinced Americans across the theological spectrum that God was raising up America for some special purpose." Kidd further argues that "new blend of Christian and republican ideology led religious traditionalists to embrace wholesale the concept of republican virtue."

Historian Gordon Wood has tied the founding ideas to American exceptionalism: "Our beliefs in liberty, equality, constitutionalism, and the well-being of ordinary people came out of the Revolutionary era. So too did our idea that we Americans are a special people with a special destiny to lead the world toward liberty and democracy." Americans were the protectors of liberty, they had a greater obligation and destiny to assert republican virtue. In *Discourse of 1759* Jonathan

Mayhew states "An absolute submission to our prince, or whether disobedience and resistance may not be justified able in some cases ... to all those who bear the title of rulers in common but only to those who actually perform the duty of rulers by exercising a reasonable and just authority for the good of human society." The notion that British rulers were not virtuous, nor exercising their authority for the "good of human society" prompted the colonial desire to protect and reestablish republican values in government. This need to protect virtue was a philosophical underpinning of the American Revolution.

Founding Fathers

The "Founding Fathers" were strong advocates of republican values, especially Samuel Adams, Patrick Henry, George Washington, Thomas Paine, Benjamin Franklin, John Adams, Thomas Jefferson, James Madison and Alexander Hamilton.

Thomas Jefferson defined a republic as:

... a government by its citizens in mass, acting directly and personally, according to rules established by the majority; and that every other government is more or less republican, in proportion as it has in its composition more or less of this ingredient of the direct action of the citizens. Such a government is evidently restrained to very narrow limits of space and population. I doubt if it would be practicable beyond the extent of a New England township. The first shade from this pure element, which, like that of pure vital air, cannot sustain life of itself, would be where the powers of the

government, being divided, should be exercised each by representatives chosen ... for such short terms as should render secure the duty of expressing the will of their constituents. This I should consider as the nearest approach to a pure republic, which is practicable on a large scale of country or population ... we may say with truth and meaning, that governments are more or less republican as they have more or less of the element of popular election and control in their composition; and believing, as I do, that the mass of the citizens is the safest depository of their own rights, and especially, that the evils flowing from the duperies of the people, are less injurious than those from the egoism of their agents, I am a friend to that composition of government which has in it the most of this ingredient.

The Founding Fathers discoursed endlessly on the meaning of "republicanism." John Adams in 1787 defined it as "a government, in which all men, rich and poor, magistrates and subjects, officers and people, masters and servants, the first citizen and the last, are equally subject to the laws."

Virtue versus commerce

The open question, as Pocock suggested, of the conflict between personal economic interest (grounded in Lockean liberalism) and classical republicanism, troubled Americans. Jefferson and Madison roundly denounced the Federalists for creating a national bank as tending to corruption and monarchism; Alexander Hamilton staunchly defended his

program, arguing that national economic strength was necessary for the protection of liberty. Jefferson never relented but by 1815 Madison switched and announced in favor of a national bank, which he set up in 1816.

John Adams often pondered the issue of civic virtue. Writing Mercy Otis Warren in 1776, he agreed with the Greeks and the Romans, that, "Public Virtue cannot exist without private, and public Virtue is the only Foundation of Republics." Adams insisted,

"There must be a positive Passion for the public good, the public Interest, Honor, Power, and Glory, established in the Minds of the People, or there can be no Republican Government, nor any real Liberty. And this public Passion must be Superior to all private Passions. Men must be ready, they must pride themselves, and be happy to sacrifice their private Pleasures, Passions, and Interests, nay their private Friendships and dearest connections, when they Stand in Competition with the Rights of society."

Adams worried that a businessman might have financial interests that conflicted with republican duty; indeed, he was especially suspicious of banks. He decided that history taught that "the Spirit of Commerce ... is incompatible with that purity of Heart, and Greatness of soul which is necessary for a happy Republic." But so much of that spirit of commerce had infected America. In New England, Adams noted, "even the Farmers and Tradesmen are addicted to Commerce." As a result, there was "a great Danger that a Republican Government would be very factious and turbulent there."

Other influences

A second stream of thought growing in significance was the classical liberalism of John Locke, including his theory of the "social contract". This had a great influence on the revolution as it implied the inborn right of the people to overthrow their leaders should those leaders betray the agreements implicit in the sovereign-follower relationship. Historians find little trace of Jean-Jacques Rousseau's influence in America. In terms of writing state and national constitutions, the Americans used Montesquieu's analysis of the ideally "balanced" British Constitution. But first and last came a commitment to republicanism, as shown by many historians such as Bernard Bailyn and Gordon S. Wood.

Historiography

For a century, historians have debated how important republicanism was to the Founding Fathers. The interpretation before 1960, following Progressive School historians such as Charles A. Beard, Vernon L. Parrington and Arthur M. Schlesinger, Sr., downplayed rhetoric as superficial and looked for economic motivations. Louis Hartz refined the position in the 1950s, arguing John Locke was the most important source because his property-oriented liberalism supported the materialistic goals of Americans.

In the 1960s and 1970s, two new schools emerged that emphasized the primacy of ideas as motivating forces in history (rather than material self-interest). Bernard Bailyn, Gordon Wood from Harvard formed the "Cambridge School"; at Washington University the "St. Louis School" was led by J.G.A.

Pocock. They emphasized slightly different approaches to republicanism. However, some scholars, especially Isaac Kramnick and the late Joyce Appleby, continue to emphasize Locke, arguing that Americans are fundamentally individualistic and not devoted to civic virtue. The relative importance of republicanism and liberalism remains a topic of strong debate among historians, as well as the politically active of present day.

The Constitution

The Founding Fathers wanted republicanism because its principles guaranteed liberty, with opposing, limited powers offsetting one another. They thought change should occur slowly, as many were afraid that a "democracy" – by which they meant a direct democracy – would allow a majority of voters at any time to trample rights and liberties. They believed the most formidable of these potential majorities was that of the poor against the rich. They thought democracy could take the form of mob rule that could be shaped on the spot by a demagogue. Therefore, they devised a written Constitution that could be amended only by a super majority, preserved competing sovereignties in the constituent states, gave the control of the upper house (Senate) to the states, and created an Electoral College, comprising a small number of elites, to select the president. They set up a House of Representatives to represent the people. In practice the electoral college soon gave way to control by political parties. In 1776, most states required property ownership to vote, but most white male citizens owned farms in the 90% rural nation, so it was limiting to women, Native Americans and slaves. As the country urbanized

and people took on different work, the property ownership requirement was gradually dropped by many states. Property requirements were gradually dismantled in state after state, so that all had been eliminated by 1850, so that few if any economic barriers remained to prevent white, adult males from voting.

"Republican" as party name

In 1792–93 Jefferson and Madison created a new "Democratic-Republican party" in order to promote their version of the doctrine. They wanted to suggest that Hamilton's version was illegitimate. According to Federalist Noah Webster, a political activist bitter at the defeat of the Federalist party in the White House and Congress, the choice of the name "Democratic-Republican" was "a powerful instrument in the process of making proselytes to the party. ... The influence of names on the mass of mankind, was never more distinctly exhibited, than in the increase of the democratic party in the United States. The popularity of the denomination of the Republican Party, was more than a match for the popularity of Washington's character and services, and contributed to overthrow his administration."

The party, which historians later called the Democratic-Republican Party, split into separate factions in the 1820s, one of which became the Democratic Party. After 1832, the Democrats were opposed by another faction that named themselves "Whigs" after the Patriots of the 1770s who started the American Revolution. Both of these parties proclaimed their devotion to republicanism in the era of the Second Party System.

Republican motherhood

Under the new government after the revolution, "republican motherhood" became an ideal, as exemplified by Abigail Adams and Mercy Otis Warren. The first duty of the republican woman was to instill republican values in her children, and to avoid luxury and ostentation.

Two generations later, the daughters and granddaughters of these "Republican mothers" appropriated republican values into their lives as they sought independence and equality in the workforce. During the 1830s, thousands of female mill workers went on strike to battle for their right to fair wages and independence, as there had been major pay cuts. Many of these women were daughters of independent land owners and descendants of men who had fought in the Revolutionary War; they identified as "daughters of freemen". In their fight for independence at the mills, women would incorporate rhetoric from the revolution to convey the importance and strength of their purpose to their corporate employers, as well as to other women. If the Revolutionary War was fought to secure independence from Great Britain, then these "daughters of freemen" could fight for the same republican values that (through striking) would give them fair pay and independence, just as the men had.

National debt

Jefferson and Albert Gallatin focused on the danger that the public debt, unless it was paid off, would be a threat to republican values. They were appalled that Hamilton was increasing the national debt and using it to solidify his

Federalist base. Gallatin was the Republican Party's chief expert on fiscal issues and as Treasury Secretary under Jefferson and Madison worked hard to lower taxes and lower the debt, while at the same time paying cash for the Louisiana Purchase and funding the War of 1812. Burrows says of Gallatin:

- His own fears of personal dependency and his small-shopkeeper's sense of integrity, both reinforced by a strain of radical republican thought that originated in England a century earlier, convinced him that public debts were a nursery of multiple public evils – corruption, legislative impotence, executive tyranny, social inequality, financial speculation, and personal indolence. Not only was it necessary to extinguish the existing debt as rapidly as possible, he argued, but Congress would have to ensure against the accumulation of future debts by more diligently supervising government expenditures.

Andrew Jackson believed the national debt was a "national curse" and he took special pride in paying off the entire national debt in 1835. Politicians ever since have used the issue of a high national debt to denounce the other party for profligacy and a threat to fiscal soundness and the nation's future.

Democracy

Ellis and Nelson argue that much constitutional thought, from Madison to Lincoln and beyond, has focused on "the problem of majority tyranny." They conclude, "The principles of republican

government embedded in the Constitution represent an effort by the framers to ensure that the inalienable rights of life, liberty, and the pursuit of happiness would not be trampled by majorities." Madison, in particular, worried that a small localized majority might threaten inalienable rights, and in Federalist No. 10 he argued that the larger the population of the republic, the more diverse it would be and the less liable to this threat. More broadly, in Federalist No. 10, Madison distinguished a *democracy* from a *republic*. Jefferson warned that "an elective despotism is not the government we fought for."

As late as 1800, the word "democrat" was mostly used to attack an opponent of the Federalist party. Thus, George Washington in 1798 complained, "that you could as soon scrub the blackamoor white, as to change the principles of a profest Democrat; and that he will leave nothing unattempted to overturn the Government of this Country." The Federalist Papers are pervaded by the idea that pure democracy is actually quite dangerous, because it allows a majority to infringe upon the rights of a minority.

Thus, in encouraging the states to participate in a strong centralized government under a new constitution and replace the relatively weak Articles of Confederation, Madison argued in Federalist No. 10 that a special interest may take control of a small area, e.g. a state, but it could not easily take over a large nation. Therefore, the larger the nation, the safer is republicanism.

By 1805, the "Old Republicans" or "Quids", a minority faction among Southern Republicans, led by Johan Randolph, John

Taylor of Caroline and Nathaniel Macon, opposed Jefferson and Madison on the grounds that they had abandoned the true republican commitment to a weak central government.

Property rights

Supreme Court Justice Joseph Story (1779–1845), made the protection of property rights by the courts a major component of American republicanism. A precocious legal scholar, Story was appointed to the Court by James Madison in 1811. He and Chief Justice John Marshall made the Court a bastion of nationalism (along the lines of Marshall's Federalist Party) and a protector of the rights of property against runaway democracy. Story opposed Jacksonian democracy because it was inclined to repudiate lawful debts and was too often guilty of what he called "oppression" of property rights by republican governments. Story held that, "the right of the citizens to the free enjoyment of their property legally acquired" was "a great and fundamental principle of a republican government." Newmyer (1985) presents Story as a "Statesman of the Old Republic" who tried to rise above democratic politics and to shape the law in accordance with the republicanism of Story's heroes, Alexander Hamilton and John Marshall, as well as the New England Whigs of the 1820s and 1830s, such as Daniel Webster. Historians agree that Justice Story – as much or more than Marshall or anyone else – did indeed reshape American law in a conservative direction that protected property rights.

Military service

Civic virtue required men to put civic goals ahead of their personal desires, and to volunteer to fight for their country.

Military service thus was an integral duty of the citizen. As John Randolph of Roanoke put it, "When citizen and soldier shall be synonymous terms, then you will be safe." Scott (1984) notes that in both the American and French revolutions, distrust of foreign mercenaries led to the concept of a national, citizen army, and the definition of military service was changed from a choice of careers to a civic duty. Herrera (2001) explains that an appreciation of self-governance is essential to any understanding of the American military character before the Civil War. Military service was considered an important demonstration of patriotism and an essential component of citizenship. To soldiers, military service was a voluntary, negotiated, and temporary abeyance of self-governance by which they signaled their responsibility as citizens. In practice self-governance in military affairs came to include personal independence, enlistment negotiations, petitions to superior officials, militia constitutions, and negotiations regarding discipline. Together these affected all aspects of military order, discipline, and life.

Role of the South

In reaction to the Kansas-Nebraska Act of 1854 that promoted democracy by saying new settlers could decide themselves whether or not to have slavery, antislavery forces across the North formed a new party. The party officially designated itself "Republican" because the name resonated with the struggle of 1776. "In view of the necessity of battling for the first principles of republican government," resolved the Michigan state convention, "and against the schemes of aristocracy the most revolting and oppressive with which the earth was ever

cursed, or man debased, we will co-operate and be known as Republicans." J. Mills Thornton argues that in the antebellum South the drive to preserve republican values (in particular the system of checks and balances) was the most powerful force, and led Southerners to interpret Northern policies against slavery as a threat to their republican values.

After the war, the Republicans believed that the Constitutional guarantee of republicanism enabled Congress to Reconstruct the political system of the former Confederate states. The main legislation was explicitly designed to promote republicanism. Radical Republicans pushed forward to secure not only citizenship for freedmen through the 14th amendment, but also to give them the vote through the 15th amendment. They held that the concept of republicanism meant that true political knowledge was to be gained in exercising the right to vote and organizing for elections. Susan B. Anthony and other advocates of woman suffrage said republicanism covered them too, as they demanded the vote.

Progressive Era

A central theme of the progressive era was fear of corruption, one of the core ideas of republicanism since the 1770s. The Progressives restructured the political system to combat entrenched interests (for example, through the direct election of Senators), to ban influences such as alcohol that were viewed as corrupting, and to extend the vote to women, who were seen as being morally pure and less corruptible.

Questions of performing civic duty were brought up in presidential campaigns and World War I. In the presidential

election of 1888, Republicans emphasized that the Democratic candidate Grover Cleveland had purchased a substitute to fight for him in the Civil War, while his opponent General Benjamin Harrison had fought in numerous battles. In 1917, a great debate took place over Woodrow Wilson's proposal to draft men into the U.S. Army after war broke out in Europe. Many said it violated the republican notion of freely given civic duty to force people to serve. In the end, Wilson was successful and the Selective Service Act of 1917 was passed.

Legal terminology

The term *republic* does not appear in the Declaration of Independence, but does appear in Article IV of the Constitution which "guarantee[s] to every State in this Union a Republican form of Government." What exactly the writers of the constitution felt this should mean is uncertain. The Supreme Court, in *Luther v. Borden* (1849), declared that the definition of *republic* was a "political question" in which it would not intervene. During Reconstruction the Constitutional clause was the legal foundation for the extensive Congressional control over the eleven former Confederate states; there was no such oversight over the border slave states that had remained in the Union.

In two later cases, it did establish a basic definition. In *United States v. Cruikshank* (1875), the court ruled that the "equal rights of citizens" were inherent to the idea of republic. The opinion of the court from *In re Duncan* (1891) held that the "right of the people to choose their government" is also part of the definition. It is also generally assumed that the clause prevents any state from being a monarchy – or a dictatorship.

Due to the 1875 and 1891 court decisions establishing basic definition, in the first version (1892) of the Pledge of Allegiance, which included the word *republic*, and like Article IV which refers to a Republican form of government, the basic definition of *republic* is implied and continues to do so in all subsequent versions, including the present edition, by virtue of its consistent inclusion.

Democracy

Over time, the pejorative connotations of "democracy" faded. By the 1830s, democracy was seen as an unmitigated positive and the term "Democratic" was assumed by the Democratic Party and the term "Democrat" was adopted by its members. A common term for the party in the 19th century was "The Democracy." In debates on Reconstruction, Radical Republicans, such as Senator Charles Sumner, argued that the republican "guarantee clause" in Article IV supported the introduction by force of law of democratic suffrage in the defeated South.

After 1800 the limitations on democracy were systematically removed; property qualifications for state voters were largely eliminated in the 1820s. The initiative, referendum, recall, and other devices of direct democracy became widely accepted at the state and local level in the 1910s; and senators were made directly electable by the people in 1913. The last restrictions on black voting were made illegal in 1965.

Chapter 6

Freedom of Religion in the United States

In the United States, freedom of religion is a constitutionally protected right provided in the religion clauses of the First Amendment. Freedom of religion is closely associated with separation of church and state, a concept advocated by Colonial founders such as Dr. John Clarke, Roger Williams, William Penn, and later Founding Fathers such as James Madison and Thomas Jefferson.

The freedom of religion has changed over time in the United States and continues to be controversial. Concern over this freedom was a major topic of George Washington's Farewell Address. Illegal religion was a major cause of the 1890–1891 Ghost Dance War. Starting in 1918, nearly all of the pacifist Hutterites emigrated to Canada when Joseph and Michael Hofer died following torture for conscientious objection to the draft. Some have since returned, but most Hutterites remain in Canada.

The long-term trend has been towards increasing secularization of the government. The remaining state churches were disestablished in 1820 and teacher-led public school prayer was abolished in 1962, but the military chaplaincy remains to the present day. Although most Supreme Court rulings have been accommodationist towards religion, in recent years there have been attempts to replace the freedom of religion with the more limited freedom of worship. Although

the freedom of religion includes some form of recognition to the individual conscience of each citizen with the possibility of conscientious objection to law or policy, the freedom of worship does not.

Controversies surrounding the freedom of religion in the US have included building places of worship, compulsory speech, prohibited counseling, compulsory consumerism, workplace, marriage and the family, the choosing of religious leaders, circumcision of male infants, dress, education, oaths, praying for sick people, medical care, worshiping during quarantines, use of government lands sacred to Native Americans, the protection of graves, the bodily use of sacred substances, mass incarceration of clergy, both animal slaughter for meat and the use of living animals, and accommodations for employees, prisoners, and military personnel.

Legal and public foundation

The United States Constitution addresses the issue of religion in two places: in the First Amendment, and the Article VI prohibition on religious tests as a condition for holding public office. The First Amendment prohibits the Congress from making a law "respecting an establishment of religion, or prohibiting the free exercise thereof". This provision was later expanded to state and local governments, through the incorporation of the First Amendment.

Colonial precedents

The October 10, 1645, charter of Flushing, Queens, New York, allowed "liberty of conscience, according to the custom and

practice of Holland without molestation or disturbance from any magistrate or ecclesiastical minister." However, New Amsterdam Director-General Peter Stuyvesant issued an edict prohibiting the harboring of Quakers. On December 27, 1657, the inhabitants of Flushing approved a protest known as The Flushing Remonstrance. This contained religious arguments even mentioning freedom for "Jews, Turks, and Egyptians," but ended with a forceful declaration that any infringement of the town charter would not be tolerated.

Freedom of religion was first applied as a principle in the founding of the colony of Maryland, also founded by the Catholic Lord Baltimore, in 1634. Fifteen years later (1649), an enactment of religious liberty, the Maryland Toleration Act, drafted by Lord Baltimore, provided: "No person or persons ... shall from henceforth be any waies troubled, molested or discountenanced for or in respect of his or her religion nor in the free exercise thereof." The Maryland Toleration Act was repealed with the assistance of Protestant assemblymen and a new law barring Catholics from openly practicing their religion was passed. In 1657, Lord Baltimore regained control after making a deal with the colony's Protestants, and in 1658 the Act was again passed by the colonial assembly. This time, it would last more than thirty years, until 1692, when after Maryland's Protestant Revolution of 1689, freedom of religion was again rescinded. In addition in 1704, an Act was passed "to prevent the growth of Popery in this Province", preventing Catholics from holding political office. Full religious toleration would not be restored in Maryland until the American Revolution, when Maryland's Charles Carroll of Carrollton signed the American Declaration of Independence.

Rhode Island (1636), Connecticut (1636), New Jersey, and Pennsylvania (1682), founded by Baptist Roger Williams, Congregationalist Thomas Hooker, and Quaker William Penn, respectively, established the religious freedom in their colonies in direct opposition to the theocratic government which Separatist Congregationalists (Pilgrim Fathers) and Puritans had enforced in Plymouth Colony (1620) and Massachusetts Bay Colony (1628). Having fled religious persecution themselves in England, the leaders of Plymouth and Massachusetts Bay Colony restricted franchise to members of their church only, rigorously enforced their own interpretation of theological law and banished freethinkers such as Roger Williams, who was actually chased out of Salem., as well as banning Quakers and Anabaptists.

These colonies became safe havens for persecuted religious minorities. Catholics and Jews also had full citizenship and free exercise of their faiths. Williams, Hooker, Penn, and their friends were firmly convinced that democracy and freedom of conscience were the will of God. Williams gave the most profound theological reason: As faith is the free gift of the Holy Spirit, it cannot be forced upon a person. Therefore, strict separation of church and state has to be kept. Pennsylvania was the only colony that retained unlimited religious freedom until the foundation of the United States. The inseparable connection of democracy, freedom of religion, and the other forms of freedom became the political and legal basis of the new nation. In particular, Baptists and Presbyterians demanded vigorously and successfully the disestablishment of the Anglican and Congregational state churches that had existed in most colonies since the seventeenth century.

The First Amendment

In the United States, the religious AND civil liberties are guaranteed by the First Amendment to the United States Constitution:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The "Establishment Clause," stating that "Congress shall make no law respecting an establishment of religion," is generally read to prohibit the Federal government from establishing a national church ("religion") or excessively involving itself in religion, particularly to the benefit of one religion over another. Following the ratification of the Fourteenth Amendment to the United States Constitution and through the doctrine of incorporation, this restriction is held to be applicable to state governments as well.

The "Free Exercise Clause" states that Congress cannot "prohibit the free exercise" of religious practices. The Supreme Court of the United States has consistently held, however, that the right to free exercise of religion is not absolute. For example, in the 19th century, some of the members of The Church of Jesus Christ of Latter-day Saints traditionally practiced polygamy, yet in *Reynolds v. United States* (1879), the Supreme Court upheld the criminal conviction of one of these members under a federal law banning polygamy. The Court reasoned that to do otherwise would set precedent for a

full range of religious beliefs including those as extreme as human sacrifice. The Court stated that "*Laws are made for the government of actions, and while they cannot interfere with mere religious belief and opinions, they may with practices.*" For example, if one were part of a religion that believed in vampirism, the First Amendment would protect one's belief in vampirism, but not the practice.

The Fourteenth Amendment

The Fourteenth Amendment to the United States Constitution guarantees the religious civil rights. Whereas the First Amendment secures the free exercise of religion, section one of the Fourteenth Amendment prohibits discrimination, including on the basis of religion, by securing "the equal protection of the laws" for every person:

All persons born or naturalized in the United States, and subject to the jurisdiction there of, are citizens of the United States and of the State where in they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

This amendment was cited in *Meyer v. Nebraska*, striking down laws which banned education in the German language. These laws mainly affected church schools teaching in German. Some laws, such as in Montana, forbade preaching in German during church. A total ban on teaching German in both public and private schools was imposed for a time in at least fourteen

states, including California, Indiana, Wisconsin, Ohio, Iowa and Nebraska. California's ban lasted into the mid-1920s. German was banned again in California churches in 1941.

The "wall of separation"

Thomas Jefferson wrote that the First Amendment erected a "wall of separation between church and state" likely borrowing the language from Roger Williams, founder of the First Baptist Church in America and the Colony of Rhode Island, who used the phrase in his 1644 book, *The Bloody Tenent of Persecution*. James Madison, often regarded as the "Father of the Bill of Rights", also often wrote of the "perfect separation", "line of separation", "strongly guarded as is the separation between religion and government in the Constitution of the United States", and "total separation of the church from the state". Madison explicitly credited Martin Luther as the theorist who "led the way" in providing the proper distinction between the civil and the ecclesiastical spheres with his doctrine of the two kingdoms.

Controversy rages in the United States between those who wish to restrict government involvement with religious institutions and remove religious references from government institutions and property, and those who wish to loosen such prohibitions. Advocates for stronger separation of church and state, such as already exists in France with the practice of *laïcité*, emphasize the plurality of faiths and non-faiths in the country, and what they see as broad guarantees of the federal Constitution. Their opponents emphasize what they see as the largely Christian heritage and history of the nation (often citing the references to "Nature's God" and the "Creator" of men in the Declaration

of Independence and the dating of the Constitution with the phrase "in the Year of our Lord"). While broad defenses of religious freedom were historically understood as ideologically liberal, it has been opined that in the 21st century they are understood as ideologically conservative. Some more socially conservative Christian sects, such as the Christian Reconstructionist movement, oppose the concept of a "wall of separation" and prefer a closer relationship between church and state.

Problems also arise in U.S. public schools concerning the teaching and display of religious issues. In various counties, school choice and school vouchers have been put forward as solutions to accommodate variety in beliefs and freedom of religion, by allowing individual school boards to choose between a secular, religious or multi-faith vocation, and allowing parents free choice among these schools. Critics of American voucher programs claim that they take funds away from public schools, and that the amount of funds given by vouchers is not enough to help many middle and working-class parents.

U.S. judges often ordered alcoholic defendants to attend Alcoholics Anonymous or face imprisonment. However, in 1999, a federal appeals court ruled this unconstitutional because the A.A. program relies on submission to a "Higher Power".

Thomas Jefferson also played a large role in the formation of freedom of religion. He created the Virginia Statute for Religious Freedom, which has since been incorporated into the Virginia State Constitution.

Other statements

Inalienable rights

The United States of America was established on foundational principles by 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 inalienable 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; (based on Thomas Jefferson's draft.)

Religious institutions

In 1944, a joint committee of the Federal Council of Churches of Christ in America and the Foreign Missions Conference formulated a "Statement on Religious Liberty"

Religious Liberty shall be interpreted to include freedom to worship according to conscience and to bring up children in the faith of their parents; freedom for the individual to change his religion; freedom to preach, educate, publish and carry on missionary activities; and freedom to organize with others, and to acquire and hold property, for these purposes.

Freedom of religion restoration

Following increasing government involvement in religious matters, Congress passed the 1993 Religious Freedom

Restoration Act. A number of states then passed corresponding acts (e.g., Missouri passed the Religious Freedom Restoration Act).

Treaty of Tripoli

Signed on November 4, 1796, the Treaty of Tripoli was a document that included the following statement:

As the Government of the United States of America is not, in any sense, founded on the Christian religion; as it has in itself no character of enmity against the laws, religion, or tranquility, of Mussulmen [Muslims]; and as the said States never entered into any war or act of hostility against any Mahometan [Mohammedan] nation, it is declared by the parties that no pretext arising from religious opinions shall ever produce an interruption of the harmony existing between the two countries.

This treaty was submitted to the Senate and was ratified unanimously on June 7, 1797, and then signed by President John Adams on June 10, 1797. In accordance with Article VI of the Constitution, on that date this treaty became incorporated as part of "the supreme Law of the Land".

Supreme Court rulings

Jehovah's Witnesses

Since the 1940s, the Jehovah's Witnesses have often invoked the First Amendment's freedom of religion clauses to protect their ability to engage in the proselytizing (or preaching) that

is central to their faith. This series of litigation has helped to define civil liberties case law in the United States and Canada.

In the United States of America and several other countries, the legal struggles of the Jehovah's Witnesses have yielded some of the most important judicial decisions regarding freedom of religion, press and speech. In the United States, many Supreme Court cases involving Jehovah's Witnesses are now landmark decisions of First Amendment law. Of the 72 cases involving the Jehovah's Witnesses that have been brought before the U.S. Supreme Court, the Court has ruled in favor of them 47 times. Even the cases that the Jehovah's Witnesses lost helped the U.S. to more clearly define the limits of First Amendment rights. Former Supreme Court Justice Harlan Stone jokingly suggested "The Jehovah's Witnesses ought to have an endowment in view of the aid which they give in solving the legal problems of civil liberties." "Like it or not," observed American author and editor Irving Dilliard, "Jehovah's Witnesses have done more to help preserve our freedoms than any other religious group."

Professor C. S. Braden wrote: "They have performed a signal service to democracy by their fight to preserve their civil rights, for in their struggle they have done much to secure those rights for every minority group in America."

"The cases that the Witnesses were involved in formed the bedrock of 1st Amendment protections for all citizens," said Paul Polidoro, a lawyer who argued the Watchtower Society's case before the Supreme Court in February 2002. "These cases were a good vehicle for the courts to address the protections that were to be accorded free speech, the free press and free

exercise of religion. In addition, the cases marked the emergence of individual rights as an issue within the U.S. court system.

Before the Jehovah's Witnesses brought several dozen cases before the U.S. Supreme Court during the 1930s and 1940s, the Court had handled few cases contesting laws that restricted freedom of speech and freedom of religion. Until then, the First Amendment had only been applied to Congress and the federal government.

However, the cases brought before the Court by the Jehovah's Witnesses allowed the Court to consider a range of issues: mandatory flag salute, sedition, free speech, literature distribution and military draft law. These cases proved to be pivotal moments in the formation of constitutional law. Jehovah's Witnesses' court victories have strengthened rights including the protection of religious conduct from federal and state interference, the right to abstain from patriotic rituals and military service and the right to engage in public discourse.

During the World War II era, the U.S. Supreme Court ruled in favor of Jehovah's Witnesses in several landmark cases that helped pave the way for the modern civil rights movement. In all, Jehovah's Witnesses brought 23 separate First Amendment actions before the U.S. Supreme Court between 1938 and 1946.

Lemon test

The Supreme Court has consistently held fast to the rule of strict separation of church and state when matters of prayer

are involved. In *Engel v. Vitale* (1962) the Court ruled that government-imposed nondenominational prayer in public school was unconstitutional. In *Lee v. Weisman* (1992), the Court ruled prayer established by a school principal at a middle school graduation was also unconstitutional, and in *Santa Fe Independent School Dist. v. Doe* (2000) it ruled that school officials may not directly impose student-led prayer during high school football games nor establish an official student election process for the purpose of indirectly establishing such prayer.

The distinction between force of government and individual liberty is the cornerstone of such cases. Each case restricts acts by government designed to establish prayer while explicitly or implicitly affirming students' individual freedom to pray.

The Court has therefore tried to determine a way to deal with church/state questions. In *Lemon v. Kurtzman* (1971), the Court created a three-part test for laws dealing with religious establishment. This determined that a law was constitutional if it:

- Had a secular purpose
- Neither advanced nor inhibited religion
- Did not foster an excessive government entanglement with religion.

Some examples of where inhibiting religion has been struck down:

- In *Widmar v. Vincent*, 454 U.S. 263 (1981), the Court ruled that a Missouri law prohibiting religious

groups from using state university grounds and buildings for religious worship was unconstitutional. As a result, Congress decided in 1984 that this should apply to secondary and primary schools as well, passing the Equal Access Act, which prevents public schools from discriminating against students based on "religious, political, philosophical or other content of the speech at such meetings". In *Board of Education of Westside Community Schools v. Mergens*, 496 U.S. 226, 236 (1990), the Court upheld this law when it ruled that a school board's refusal to allow a Christian Bible club to meet in a public high school classroom violated the act.

- In *Good News Club v. Milford Central School*, 533 U.S. 98 (2001), the Court ruled that religious groups must be allowed to use public schools after hours if the same access is granted to other community groups.
- In *Rosenberger v. Rector and Visitors of the University of Virginia*, 515 U.S. 819 (1995), the Supreme Court found that the University of Virginia was unconstitutionally withholding funds from a religious student magazine.

Masterpiece Cakeshop

Klein v. Oregon Bureau of Labor and Industries is similar. In June 2019, the Supreme Court vacated a ruling by the Oregon Appeals Court, requiring that court to rehear the case in the light of the *Masterpiece Cakeshop v. Colorado Civil Rights Commission* decision in 2018.

State constitutions and laws

Under the doctrine of incorporation, the First Amendment has been made applicable to the states. Therefore, the states must guarantee the freedom of religion in the same way the federal government must.

Many states have freedom of religion established in their constitution, though the exact legal consequences of this right vary for historical and cultural reasons. Most states interpret "freedom of religion" as including the freedom of long-established religious communities to remain intact and not be destroyed. By extension, democracies interpret "freedom of religion" as the right of each individual to freely choose to convert from one religion to another, mix religions, or abandon religion altogether.

Public offices and the military

Religious tests

The affirmation or denial of specific religious beliefs had, in the past, been made into qualifications for public office; however, the United States Constitution states that the inauguration of a president may include an "affirmation" of the faithful execution of his duties rather than an "oath" to that effect — this provision was included in order to respect the religious prerogatives of the Quakers, a Protestant Christian denomination that declines the swearing of oaths. The U.S. Constitution also provides that "No religious Test shall ever be required as a Qualification of any Office or public Trust under

the United States." Several states have language included in their constitutions that requires state office-holders to have particular religious beliefs.

These include Arkansas, Maryland, Massachusetts, North Carolina, Pennsylvania, South Carolina, Tennessee, and Texas. Some of these beliefs (or oaths) were historically required of jurors and witnesses in court. Even though they are still on the books, these provisions have been rendered unenforceable by U.S. Supreme Court decisions.

With reference to the use of animals, the U.S. Supreme Court decision in the cases of the *Church of the Lukumi Babalu Aye v. City of Hialeah* in 1993 upheld the right of Santeria adherents to practice ritual animal sacrifice with Justice Anthony Kennedy stating in the decision, "religious beliefs need not be acceptable, logical, consistent or comprehensible to others in order to merit First Amendment protection". (quoted by Justice Kennedy from the opinion by Justice Burger in *Thomas v. Review Board of the Indiana Employment Security Division* 450 U.S. 707 (1981)) Likewise in Texas in 2009, issues that related to animal sacrifice and animal rights were taken to the 5th U.S. Circuit Court of Appeals in the case of *Jose Merced, President Templo Yoruba Omo Orisha Texas, Inc., v. City of Euless*. The court ruled that the free exercise of religion was meritorious and prevailing and that Merced was entitled under the Texas Religious Freedom and Restoration Act (TRFRA) to an injunction preventing the city of Euless, Texas from enforcing its ordinances that burdened his religious practices relating to the use of animals.

Religious liberty has not prohibited states or the federal government from prohibiting or regulating certain behaviors; i.e. prostitution, gambling, alcohol and certain drugs, although some libertarians interpret religious freedom to extend to these behaviors. The United States Supreme Court has ruled that a right to privacy or a due process right does prevent the government from prohibiting adult access to birth control, pornography, and from outlawing sodomy between consenting adults and early trimester abortions.

In practice committees questioning nominees for public office sometimes ask detailed questions about their religious beliefs. The political reason for this may be to expose the nominee to public ridicule for holding a religious belief contrary to the majority of the population. This practice has drawn ire from some for violating the No Religious Test Clause.

States

Some state constitutions in the US require belief in God or a Supreme Being as a prerequisite for holding public office or being a witness in court. This applies to Arkansas, Maryland, Mississippi, North Carolina, where the requirement was challenged and overturned in *Voswinkel v. Hunt* (1979), South Carolina, Tennessee, and Texas, debatably.

A unanimous 1961 U.S. Supreme Court decision in *Torcaso v. Watkins* held that the First and Fourteenth Amendments to the federal Constitution override these state requirements, so they are not enforced.

Oath of public office

- The no religious test clause of the U.S. constitution states that "no religious test shall ever be required as a qualification to any office or public trust under the United States." Although it has become tradition for US presidents to end their Presidential Oath with "so help me God", this is not required by the Constitution. The same applies to the Vice President, the House of Representatives, the Senate, the members of the Cabinet, and all other civil and military officers and federal employees, who can either make an affirmation or take an oath ending with "so help me God."

Military

After reports in August 2010 that soldiers who refused to attend a Christian band's concert at a Virginia military base were essentially punished by being banished to their barracks and told to clean them up, an Army spokesman said that an investigation was underway and "If something like that were to have happened, it would be contrary to Army policy."

Religious holidays and work

- Problems sometimes arise in the workplace concerning religious observance when a private employer discharges an employee for failure to report to work on what the employee considers a holy day or a day of rest. In the United States, the view that

has generally prevailed is that firing for any cause in general renders a former employee ineligible for unemployment compensation, but that this is no longer the case if the 'cause' is religious in nature, especially an employee's unwillingness to work during Jewish Shabbat, Christian Sabbath, Hindu Diwali, or Muslim jumu'ah.

Situation of minority groups

Amish

As of December 2019, Lenawee County, Michigan has condemned the houses of 14 Amish families over their use of outhouses lacking connections to septic systems approved by the county.

Baptists

In 1919, Harvey Boyce Taylor, a Baptist pastor in Murray, Kentucky, was jailed and fined for holding church related gatherings during the Spanish flu outbreak.

Pentecostals

In 2020, Rodney Howard-Browne, a Pentecostal pastor in Florida, was arrested for holding church services and claiming that his church's ministry was "essential" and should not be shut down during the 2020 coronavirus pandemic.

Another Pentecostal pastor, Tony Spell in Louisiana, was charged with six misdemeanor counts after holding church

services in Central, Louisiana when the governor had issued an order against gatherings of ten or more people.

Catholics

John Higham described anti-Catholicism as "the most luxuriant, tenacious tradition of paranoiac agitation in American history". Anti-Catholicism which was prominent in the United Kingdom was exported to the United States. Two types of anti-Catholic rhetoric existed in colonial society. The first, derived from the heritage of the Protestant Reformation and the religious wars of the 16th century, consisted of the "Anti-Christ" and the "Whore of Babylon" variety and dominated Anti-Catholic thought until the late 17th century. The second was a more secular variety which focused on the supposed intrigue of the Catholics intent on extending medieval despotism worldwide.

Historian Arthur Schlesinger Sr. has called Anti-Catholicism "the deepest-held bias in the history of the American people."

During the Plundering Time, Protestant pirates robbed Catholic residents of the British colony of Maryland. Because many of the British colonists, such as the Puritans and Congregationalists, were fleeing religious persecution by the Church of England, much of early American religious culture exhibited the more extreme anti-Catholic bias of these Protestant denominations. Monsignor John Tracy Ellis wrote that a "universal anti-Catholic bias was brought to Jamestown in 1607 and vigorously cultivated in all the thirteen colonies from Massachusetts to Georgia." Colonial charters and laws contained specific proscriptions against Roman Catholics.

Monsignor Ellis noted that a common hatred of the Roman Catholic Church could unite Anglican clerics and Puritan ministers despite their differences and conflicts.

Some of America's Founding Fathers held anti-clerical beliefs. For example, in 1788, John Jay urged the New York Legislature to require office-holders to renounce foreign authorities "in all matters ecclesiastical as well as civil." Thomas Jefferson wrote: "History, I believe, furnishes no example of a priest-ridden people maintaining a free civil government," and, "In every country and in every age, the priest has been hostile to liberty. He is always in alliance with the despot, abetting his abuses in return for protection to his own."

Some states devised loyalty oaths designed to exclude Catholics from state and local office. The public support for American independence and the First Amendment of the U.S. Constitution by prominent American Catholics like Charles Carroll of Carrollton, the only Catholic signer of the Declaration of Independence, and his second cousins, Bishop John Carroll and Daniel Carroll, allowed Roman Catholics to be included in the constitutional protections of civil and religious liberty.

Anti-Catholic animus in the United States reached a peak in the 19th century when the Protestant population became alarmed by the influx of Catholic immigrants. Some American Protestants, having an increased interest in prophecies regarding the end of time, claimed that the Catholic Church was the Whore of Babylon in the Book of Revelation. The resulting "nativist" movement, which achieved prominence in the 1840s, was whipped into a frenzy of anti-Catholicism that

led to mob violence, the burning of Catholic property, and the killing of Catholics. This violence was fed by claims that Catholics were destroying the culture of the United States. The nativist movement found expression in a national political movement called the Know-Nothing Party of the 1850s, which (unsuccessfully) ran former president Millard Fillmore as its presidential candidate in 1856.

The founder of the Know-Nothing movement, Lewis C. Levin, based his political career entirely on anti-Catholicism, and served three terms in the U.S. House of Representatives (1845–1851), after which he campaigned for Fillmore and other "nativist" candidates.

After 1875 many states passed constitutional provisions, called "Blaine Amendments, forbidding tax money be used to fund parochial schools. In 2002, the United States Supreme Court partially vitiated these amendments, when they ruled that vouchers were constitutional if tax dollars followed a child to a school, even if it were religious.

Anti-Catholicism was widespread in the 1920s; anti-Catholics, including the Ku Klux Klan, believed that Catholicism was incompatible with democracy and that parochial schools encouraged separatism and kept Catholics from becoming loyal Americans. The Catholics responded to such prejudices by repeatedly asserting their rights as American citizens and by arguing that they, not the nativists (anti-Catholics), were true patriots since they believed in the right to freedom of religion.

The 1928 presidential campaign of Al Smith was a rallying point for the Klan and the tide of anti-Catholicism in the U.S. The Catholic *Church of the Little Flower* was first built in 1925

in Royal Oak, Michigan, a largely Protestant area. Two weeks after it opened, the Ku Klux Klan burned a cross in front of the church. The church burned down in a fire in 1936. In response, the church built a fireproof crucifixion tower, as a "cross they could not burn".

In 1922, the voters of Oregon passed an initiative amending Oregon Law Section 5259, the Compulsory Education Act. The law unofficially became known as the Oregon School Law. The citizens' initiative was primarily aimed at eliminating parochial schools, including Catholic schools. The law caused outraged Catholics to organize locally and nationally for the right to send their children to Catholic schools. In *Pierce v. Society of Sisters* (1925), the United States Supreme Court declared the Oregon's Compulsory Education Act unconstitutional in a ruling that has been called "the Magna Carta of the parochial school system." However, there is still controversy over the legality of parish schools. In December 2018, Ed Mechmann, the director of public policy at the Roman Catholic Archdiocese of New York noted that the new regulations from the New York State Education Department would "give local school boards virtually unlimited power over private religious schools. There is no protection against government officials who are hostile to religious schools or who just want to eliminate the competition."

In 1928, Al Smith became the first Roman Catholic to gain a major party's nomination for president, and his religion became an issue during the campaign. Many Protestants feared that Smith would take orders from church leaders in Rome in making decisions affecting the country.

A key factor that hurt John F. Kennedy in his 1960 campaign for the presidency of the United States was the widespread prejudice against his Roman Catholic religion; some Protestants, including Norman Vincent Peale, believed that, if he were elected president, Kennedy would have to take orders from the pope in Rome. To address fears that his Roman Catholicism would impact his decision-making, John F. Kennedy famously told the Greater Houston Ministerial Association on September 12, 1960, "I am not the Catholic candidate for President. I am the Democratic Party's candidate for President who also happens to be a Catholic. I do not speak for my Church on public matters — and the Church does not speak for me." He promised to respect the separation of church and state and not to allow Catholic officials to dictate public policy to him. Kennedy also raised the question of whether one-quarter of Americans were relegated to second-class citizenship just because they were Catholic.

Kennedy went on to win the national popular vote over Richard Nixon by just one tenth of one percentage point (0.1%) – the closest popular-vote margin of the 20th century. In the electoral college, Kennedy's victory was larger, as he took 303 electoral votes to Nixon's 219 (269 were needed to win). *The New York Times*, summarizing the discussion late in November, spoke of a "narrow consensus" among the experts that Kennedy had won more than he lost as a result of his Catholicism, as Catholics flocked to Kennedy to demonstrate their group solidarity in demanding political equality.

In 2011, the United States Conference of Catholic Bishops argued that the Obama Administration put an undue burden upon Catholics and forced them to violate their right to

freedom of religion as part of the Patient Protection and Affordable Care Act.

Another concern relating to the Catholic Church and politics in the United States is the freedom to provide church services to illegally undocumented immigrants as most hail from predominantly Roman Catholic nations.

Holy See–United States relations resumed in 1984.

Latter Day Saint movement 1820–90

Historically, the Latter Day Saint movement, which is often called Mormonism, has been the victim of religious violence beginning with reports by founder Joseph Smith immediately after his First Vision 1820 and continuing as the movement grew and migrated from its inception in western New York to Ohio, Missouri, and Illinois. The violence culminated when Smith was assassinated by a mob of 200 men in Carthage Jail in 1844. Joseph Smith had surrendered himself previously to the authorities, who failed to protect him. As a result of the violence they were faced with in the East, the Mormon pioneers, led by Brigham Young, migrated westwards and eventually founded Salt Lake City, and many other communities along the Mormon Corridor.

Smith and his followers experienced relatively low levels of persecution in New York and Ohio, although one incident involved church members being tarred and feathered. They would eventually move on to Missouri, where some of the worst atrocities against Mormons would take place. Smith declared the area around Independence, Missouri to be the site of Zion, inspiring a massive influx of Mormon converts. Locals, alarmed

by rumors of the strange, new religion (including rumors of polygamy), attempted to drive the Mormons out. This resulted in the 1838 Mormon War, the Haun's Mill massacre, and the issue of the Missouri Executive Order 44 by Governor Lilburn Boggs, which ordered " ... *Mormons must be treated as enemies, and must be exterminated or driven from the state ...* ". The majority of Mormons would flee to Illinois, where they were received warmly by the village of Commerce, Illinois. The Mormons quickly expanded the town and renamed it Nauvoo, which was one of the largest cities in Illinois at the time. The economic, political, and religious dominance of the Mormons (Smith was mayor of the city and commander of the local militia, the Nauvoo Legion) inspired mobs to attack the city, and Smith was arrested for ordering the destruction of an anti-Mormon newspaper, the *Nauvoo Expositor*, although he acted with the consent of the city council. He was imprisoned, along with his brother Hyrum Smith, at Carthage Jail, where they were attacked by a mob and murdered.

After a succession crisis, most of the Mormons united under Brigham Young, who organized an evacuation from Nauvoo and from the United States itself after the federal government refused to protect the Mormons. Young and an eventual 50,000–70,000 would cross the Great Plains to settle in the Salt Lake Valley and the surrounding area. After the events of the Mexican–American War, the area became a United States territory. Young immediately petitioned for the addition of the State of Deseret, but the federal government declined. Instead, Congress carved out the much smaller Utah Territory. Over the next 46 years, several actions of the federal government were directed at Mormons, specifically to curtail the practice of polygamy and to reduce their political and economic power.

These included the Utah War, Morrill Anti-Bigamy Act, Poland Act, Edmunds Act, and Edmunds–Tucker Act. In 1890, LDS Church president Wilford Woodruff issued the Manifesto, ending polygamy. With the concept of plural marriage, from 1830 to 1890 the Mormon faith allowed its members to practice polygamy; after 1843 this was limited to polygyny (one man could have several wives). The notion of polygamy was not only generally disdained by most of Joseph Smith's contemporaries, it is also contrary to the traditional Christian understanding of marriage. After 1844 the United States government passed legislation aimed specifically at the Mormon practice of polygamy until The Church of Jesus Christ of Latter-day Saints (LDS Church) officially renounced it. In the case of *Reynolds v. United States*, the U.S. supreme court concluded that "religious duty" was not a suitable defense to an indictment for polygamy; therefore, a law against polygamy is not legally considered to discriminate against a religion that endorses polygamy. When their appeals to the courts and lawmakers were exhausted and once church leaders were satisfied that God had accepted what they saw as their sacrifice for the principle, the prophet leader of the church announced that he had received inspiration that God had accepted their obedience and rescinded the commandment for plural marriage. In 1890, an official declaration was issued by the church prohibiting further plural marriages. Utah was admitted to the Union on January 4, 1896.

Native Americans

Aside from the general issues in the relations between Europeans and Native Americans since the initial European colonization of the Americas, there has been a historic

suppression of Native American religions as well as some current charges of religious discrimination against Native Americans by the U.S. government.

With the practice of the Americanization of Native Americans, Native American children were sent to Christian boarding schools where they were forced to worship as Christians and traditional customs were banned. Until the Freedom of Religion Act 1978, "spiritual leaders [of Native Americans] ran the risk of jail sentences of up to 30 years for simply practicing their rituals."

The traditional indigenous Sun Dance was illegal from the 1880s (Canada) or 1904 (USA) to the 1980s.

Continuing charges of religious discrimination have largely centered on the eagle feather law, the use of ceremonial peyote, and the repatriation of Native American human remains and cultural and religious objects:

- The eagle feather law, which governs the possession and religious use of eagle feathers, was written with the intention to protect then dwindling eagle populations on one hand while still protecting traditional Native American spiritual and religious customs, to which the use of eagle feather is central, on the other hand. As a result, the possession of eagle feathers is restricted to ethnic Native Americans, a policy that is seen as controversial for several reasons.
- Peyote, a spineless cactus found in the desert southwest and Mexico, is commonly used in certain traditions of Native American religion and

spirituality, most notably in the Native American Church. Prior to the passage of the American Indian Religious Freedom Act (AIRFA) in 1978, and as amended in 1994, the religious use of peyote was not afforded legal protection. This resulted in the arrest of many Native Americans and non-Native Americans participating in traditional indigenous religion and spirituality.

- Native Americans often hold strong personal and spiritual connections to their ancestors and often believe that their remains should rest undisturbed. This has often placed Native Americans at odds with archaeologists who have often dug on Native American burial grounds and other sites considered sacred, often removing artifacts and human remains – an act considered sacrilegious by many Native Americans. For years, Native American communities decried the removal of ancestral human remains and cultural and religious objects, charging that such activities are acts of genocide, religious persecution, and discrimination. Many Native Americans called on the government, museums, and private collectors for the return of remains and sensitive objects for reburial. The Native American Graves Protection and Repatriation Act (NAGPRA), which gained passage in 1990, established a means for Native Americans to request the return or "repatriation" of human remains and other sensitive cultural, religious, and funerary items held by federal agencies and federally assisted museums and institutions.

Atheists

A 2006 study at the University of Minnesota showed atheists to be the most distrusted minority among Americans. In the study, sociologists Penny Edgell, Joseph Gerties and Douglas Hartmann conducted a survey of American public opinion on attitudes towards different groups. 40% of respondents characterized atheists as a group that "does not at all agree with my vision of American society", putting atheists well ahead of every other group, with the next highest being Muslims (26%) and homosexuals (23%). When participants were asked whether they agreed with the statement, "I would disapprove if my child wanted to marry a member of this group," atheists again led minorities, with 48% disapproval, followed by Muslims (34%) and African-Americans (27%). Joe Foley, co-chairman for Campus Atheists and Secular Humanists, commented on the results, "I know atheists aren't studied that much as a sociological group, but I guess atheists are one of the last groups remaining that it's still socially acceptable to hate." A University of British Columbia study conducted in the United States found that believers distrust atheists as much as they distrust rapists. The study also showed that atheists have lower employment prospects.

Several private organizations, the most notable being the Boy Scouts of America, do not allow atheist members. However, this policy has come under fire by organizations who assert that the Boy Scouts of America do benefit from taxpayer money and thus cannot be called a truly private organization, and thus must admit atheists, and others currently barred from membership. An organization called Scouting for All, founded

by Eagle Scout Steven Cozza, is at the forefront of the movement.

Court cases

In the 1994 case *Board of Education of Kiryas Joel Village School District v. Grumet*, Supreme Court Justice David Souter wrote in the opinion for the Court that: "government should not prefer one religion to another, or religion to irreligion". *Everson v. Board of Education* established that "neither a state nor the Federal Government can pass laws which aid one religion, aid all religions, or prefer one religion over another". This applies the Establishment Clause to the states as well as the federal government. However, several state constitutions make the protection of persons from religious discrimination conditional on their acknowledgment of the existence of a deity, making freedom of religion in those states inapplicable to atheists. These state constitutional clauses have not been tested. Civil rights cases are typically brought in federal courts, so such state provisions are mainly of symbolic importance.

In *Elk Grove Unified School District v. Newdow* (2004), after atheist Michael Newdow challenged the phrase "under God" in the United States Pledge of Allegiance, the Ninth Circuit Court of Appeals found the phrase unconstitutional. Although the decision was stayed pending the outcome of an appeal, there was the prospect that the pledge would cease to be legally usable without modification in schools in the western United States, over which the Ninth Circuit has jurisdiction. This resulted in political furor, and both houses of Congress passed resolutions condemning the decision, unanimously. On June

26, a Republican-dominated group of 100–150 congressmen stood outside the capital and recited the pledge, showing how much they disagreed with the decision. The Supreme Court subsequently reversed the decision, ruling that Newdow did not have standing to bring his case, thus disposing of the case without ruling on the constitutionality of the pledge.

Case studies

- The Eagle Feather Law, which governs the possession and religious use of eagle feathers, was officially written to protect then dwindling eagle populations while still protecting traditional Native American spiritual and religious customs, of which the use of eagles are central. The Eagle Feather Law later met charges of promoting racial and religious discrimination due to the law's provision authorizing the possession of eagle feathers to members of only one ethnic group, Native Americans, and forbidding Native Americans from including non-Native Americans in indigenous customs involving eagle feathers—a common modern practice dating back to the early 16th century.
- Charges of religious and racial discrimination have also been found in the education system. In a recent example, the dormitory policies at Boston University and The University of South Dakota were charged with racial and religious discrimination when they forbade a university dormitory resident from smudging while praying. The policy at The University of South Dakota was later changed to permit students to pray while living in the university dorms.

- In 2004, a case involving five Ohio prison inmates (two followers of Asatru (a modern form of Norse paganism), a minister of the Church of Jesus Christ Christian, a Wiccan witch (neopaganism)), and a Satanist protesting denial of access to ceremonial items and opportunities for group worship was brought before the Supreme Court. The *Boston Globe* reports on the 2005 decision of *Cutter v. Wilkinson* in favour of the claimants as a notable case. Among the denied objects was instructions for runic writing requested by an Asatruar. Inmates of the "Intensive Management Unit" at Washington State Penitentiary who are adherents of Asatru in 2001 were deprived of their Thor's Hammer medallions. In 2007, a federal judge confirmed that Asatru adherents in US prisons have the right to possess a Thor's Hammer pendant. An inmate sued the Virginia Department of Corrections after he was denied it while members of other religions were allowed their medallions.

Replacement of freedom of religion with freedom of worship

In 2016, John Miller of the *Wall Street Journal* noted that the term "freedom of religion" was recently restored to US immigrant naturalization tests and study booklets. It had previously been changed to the more limited "freedom of worship."

In 2014, Kamala Harris and others signed a brief submitted to the Supreme Court that "Rights to the free exercise of religious

beliefs [...] protect the development and expression of an 'inner sanctum' of personal religious faith. Free exercise rights have thus also been understood as personal, relating only to individual believers and to a limited class of associations comprising or representing them."

Chapter 7

Rights of Englishmen

The "rights of Englishmen" are the traditional rights of English subjects and later English speaking subjects of the British crown. In the 18th century, some of the colonists who objected to British rule in the thirteen British North American colonies that would become the first United States argued that their traditional rights as Englishmen were being violated. The colonists wanted and expected the rights that they (or their forebears) had previously enjoyed in England: a local, representative government, with regards to judicial matters (some colonists were being sent back to England for trials) and particularly with regards to taxation. Belief in these rights subsequently became a widely accepted justification for the American Revolution. The American colonies had since the 17th century been fertile ground for liberalism within the center of European political discourse. However, as the ratification of the Declaration of Independence approached, the issue among the colonists of which particular rights were significant became divisive. George Mason, one of the Founding Fathers of the United States, stated that "We claim nothing but the liberty and privileges of Englishmen in the same degree, as if we had continued among our brethren in Great Britain."

Historical background

In the tradition of Whig history, Judge William Blackstone called them "The absolute rights of every Englishman", and explained how they had been established slowly over centuries

of English history, in his book on *Fundamental Laws of England*, which was the first part of his influential *Commentaries on the Laws of England*.

They were certain basic rights that all subjects of the English monarch were understood to be entitled to, such as those expressed in Magna Carta since 1215, the Petition of Right in 1628, the Habeas Corpus Act 1679 and the Bill of Rights 1689.

In a legal case in 1608 that came to be known as *Calvin's Case*, or the *Case of the Postnati*, the Law Lords decided in 1608 that Scotsmen born after King James I united Scotland and England (the *postnati*) had all the rights of Englishmen. This decision would have a subsequent effect on the concept of the "rights of Englishmen" in British America.

Legacy in United States law

Owing to its inclusion in the standard legal treatises of the 19th century, Calvin's Case was well known in the early judicial history of the United States.

Consideration of the case by the United States Supreme Court and by state courts transformed it into a rule regarding American citizenship and solidified the concept of *jus soli* – the right by which nationality or citizenship can be recognised to any individual born in the territory of the related state – as the primary determining factor controlling the acquisition of citizenship by birth.

The Supreme Court Justice Joseph P. Bradley asserted that the "rights of Englishmen" were a foundation of American law in

his dissenting opinion on the Slaughter-House Cases, the first Supreme Court interpretation of the Fourteenth Amendment to the United States Constitution, in 1873.

Chapter 8

Common Sense

Common Sense is a 47-page pamphlet written by Thomas Paine in 1775–1776 advocating independence from Great Britain to people in the Thirteen Colonies. Writing in clear and persuasive prose, Paine marshaled moral and political arguments to encourage common people in the Colonies to fight for egalitarian government. It was published anonymously on January 10, 1776, at the beginning of the American Revolution and became an immediate sensation.

It was sold and distributed widely and read aloud at taverns and meeting places. In proportion to the population of the colonies at that time (2.5 million), it had the largest sale and circulation of any book published in American history. As of 2006, it remains the all-time best-selling American title and is still in print today.

Common Sense made public a persuasive and impassioned case for independence, which had not yet been given serious intellectual consideration.

Paine connected independence with common dissenting Protestant beliefs as a means to present a distinctly American political identity and structured *Common Sense* as if it were a sermon. Historian Gordon S. Wood described *Common Sense* as "the most incendiary and popular pamphlet of the entire revolutionary era."

The text was translated into French by Antoine Gilbert Griffet de Labaume in 1790.

Publication

Paine arrived in the American colonies in November 1774, shortly before the Battles of Lexington and Concord. Though the colonies and Great Britain had commenced hostilities against one another, the thought of independence was not initially entertained. Writing of his early experiences in the colonies in 1778, Paine "found the disposition of the people such, that they might have been led by a thread and governed by a reed. Their attachment to Britain was obstinate, and it was, at that time, a kind of treason to speak against it. Their ideas of grievance operated without resentment, and their single object was reconciliation." Paine quickly engrained himself in the Philadelphia newspaper business, and began writing *Common Sense* in late 1775 under the working title of *Plain Truth*. Though it began as a series of letters to be published in various Philadelphia papers, it grew too long and unwieldy to publish as letters, leading Paine to select the pamphlet form.

Benjamin Rush recommended the publisher Robert Bell, promising Paine that although other printers might balk at the content of the pamphlet, Bell would not hesitate or delay its printing. The pamphlet was first published on January 10, 1776. Bell zealously promoted the pamphlet in Philadelphia's papers, and demand grew so high as to require a second printing. Paine, overjoyed with its success, endeavored to collect his share of the profits and donate them to purchase mittens for General Montgomery's troops, then encamped in frigid Quebec. However, when Paine's chosen intermediaries audited Bell's accounts, they found that the pamphlet actually

had made zero profits. Incensed, Paine ordered Bell not to proceed on a second edition, as he had planned several appendices to add to *Common Sense*. Bell ignored that and began advertising a "new edition".

While Bell believed that the advertisement would convince Paine to retain his services, it had the opposite effect. Paine secured the assistance of the Bradford brothers, publishers of the *Pennsylvania Evening Post*, and released his new edition, featuring several appendices and additional writings. Bell began working on a second edition.

This set off a month-long public debate between Bell and the still-anonymous Paine, conducted within the pages and advertisements of the *Pennsylvania Evening Post*, with each party charging the other with duplicity and fraud. Paine and Bell published several more editions through the end of their public squabble.

The publicity generated by the initial success and compounded by the publishing disagreements propelled the pamphlet to incredible sales and circulation. Following Paine's own estimate of the pamphlet's sales, some historians claim that *Common Sense* sold almost 100,000 copies in 1776, and according to Paine, 120,000 copies were sold in the first three months. One biographer estimates that 500,000 copies sold in the first year (in both America and Europe, predominantly France and Britain), and another writes that Paine's pamphlet went through 25 published editions in the first year alone. However, some historians dispute these figures as implausible because of the literate population at the time and estimated the far upper limit as 75,000 copies.

Aside from the printed pamphlet itself, there were many handwritten summaries and whole copies circulated. Paine also granted publishing rights to nearly every imprint which requested them, including several international editions. It was immensely popular in France, where it was published without its diatribes against monarchy. At least one newspaper printed the entire pamphlet: the *Connecticut Courant* in its issue of February 19, 1776. Writing in 1956, Richard Gimbel estimated, in terms of circulation and impact, that an "equivalent sale today, based on the present population of the United States, would be more than six-and-one-half million copies within the short space of three months". For nearly three months, Paine managed to maintain his anonymity, even during Bell's potent newspaper polemics. His name did not become officially connected with the independence controversy until March 30, 1776. Paine never recouped the profits that he felt were due to him from Bell's first edition. Ultimately, he lost money on the Bradford printing as well, and because he decided to repudiate his copyright, he never profited from *Common Sense*.

Sections

The first and subsequent editions divided the pamphlet into four sections.

I. Of the Origin and Design of Government in General, With Concise Remarks on the English Constitution

In his first section, Paine related common Enlightenment theories of the state of nature to establish a foundation for republican government. Paine began the section by making a

distinction between society and government and argues that government is a "necessary evil." He illustrates the power of society to create and maintain happiness in man through the example of a few isolated people who find it easier to live together rather than apart, thus creating society. As society continues to grow, a government becomes necessary to prevent the natural evil Paine saw in man.

To promote civil society through laws and account for the impossibility of all people meeting centrally to make laws, representation and elections become necessary. As that model was clearly intended to mirror the situation of the colonists at the time of publication, Paine went on to consider the English constitution.

Paine found two tyrannies in the English constitution: monarchical and aristocratic tyranny in the king and peers, who rule by heredity and contribute nothing to the people. Paine criticized the English constitution by examining the relationship between the king, the peers, and the commons.

II. Of Monarchy and Hereditary Succession

The second section considers monarchy first from a biblical perspective and then from a historical perspective. He begins by arguing that since all men are equal at creation, the distinction between kings and subjects is a false one. Paine then quotes a sequence of biblical passages to refute the divine right of Kings. After citing Matthew 22:21, he highlights Gideon's refusal to heed the people's call to rule, citing Judges 8:22. He then reproduces the majority of 1 Samuel 8 (wherein Samuel relays God's objections to the people's demand for a

king) and concludes: “the Almighty hath here entered his protest against monarchical government...”

Paine then examines some of the problems that kings and monarchies have caused in the past and concludes:

In England a king hath little more to do than to make war and give away places; which in plain terms, is to impoverish the nation and set it together by the ears. A pretty business indeed for a man to be allowed eight hundred thousand sterling a year for, and worshipped into the bargain! Of more worth is one honest man to society and in the sight of God, than all the crowned ruffians that ever lived.

— *Thomas Paine*

Paine also attacks one type of "mixed state," the constitutional monarchy promoted by John Locke, in which the powers of government are separated between a Parliament or Congress, which makes the laws, and a monarch, who executes them.

The constitutional monarchy, according to Locke, would limit the powers of the king sufficiently to ensure that the realm would remain lawful rather than easily becoming tyrannical. According to Paine, however, such limits are insufficient.

In the mixed state, power tends to concentrate into the hands of the monarch, eventually permitting him to transcend any limitations placed upon him. Paine questions why the supporters of the mixed state, since they concede that the power of the monarch is dangerous, wish to include a monarch in their scheme of government in the first place.

III. Thoughts on the Present State of American Affairs

In the third section, Paine examines the hostilities between England and the American colonies and argues that the best course of action is independence. Paine proposes a *Continental Charter* (or *Charter of the United Colonies*) that would be an American *Magna Carta*. Paine writes that a Continental Charter "should come from some intermediate body between the Congress and the people" and outlines a Continental Conference that could draft a Continental Charter.

Each colony would hold elections for five representatives, who would be accompanied by two members of the assembly of colonies, for a total of seven representatives from each colony in the Continental Conference. The Conference would then meet and draft a Continental Charter that would secure "freedom and property to all men, and... the free exercise of religion". The Continental Charter would also outline a new national government, which Paine thought would take the form of a Congress.

Paine suggested that a congress may be created in the following way: each colony should be divided in districts, and each district would "send a proper number of delegates to Congress." Paine thought that each colony should send at least 30 delegates to Congress and that the total number of delegates in Congress should be at least 390. The Congress would meet annually and elect a president. Each colony would be put into a lottery; the president would be elected, by the whole congress, from the delegation of the colony that was selected in the lottery. After a colony was selected, it would be removed from subsequent lotteries until all of the colonies had

been selected, at which point the lottery would start anew. Electing a president or passing a law would require three-fifths of the congress.

IV. On the Present Ability of America, With Some Miscellaneous Reflections

The fourth section of the pamphlet includes Paine's optimistic view of America's military potential at the time of the revolution. For example, he spends pages describing how colonial shipyards, by using the large amounts of lumber available in the country, could quickly create a navy that could rival the Royal Navy.

Impact and response

Heavy advertisement by both Bell and Paine and the immense publicity created by their publishing quarrel made *Common Sense* an immediate sensation not only in Philadelphia but also across the Thirteen Colonies. Early "reviewers" (mainly letter excerpts published anonymously in colonial newspapers) touted the clear and rational case for independence put forth by Paine.

One Marylander wrote to the *Pennsylvania Evening Post* on February 6, 1776, that "if you know the author of COMMON SENSE, tell him he has done wonders and worked miracles. His stile [*sic*] is plain and nervous; his facts are true; his reasoning, just and conclusive". The author went on to claim that the pamphlet was highly persuasive in swaying people towards independence. The mass appeal, one later reviewer

noted, was caused by Paine's dramatic calls for popular support of revolution, "giv[ing] liberty to every individual to contribute materials for that great building, the grand charter of American Liberty". Paine's vision of a radical democracy, unlike the checked and balanced nation later favored by conservatives like John Adams, was highly attractive to the popular audience which read and reread *Common Sense*.

In the months leading up to the Declaration of Independence, many more reviewers noted that the two main themes (direct and passionate style and calls for individual empowerment) were decisive in swaying the Colonists from reconciliation to rebellion. The pamphlet was also highly successful because of a brilliant marketing tactic planned by Paine. He and Bell timed the first edition to be published at around the same time as a proclamation on the colonies by King George III, hoping to contrast the strong, monarchical message with the heavily anti-monarchical *Common Sense*. Luckily, the speech and the first advertisement of the pamphlet appeared on the same day within the pages of the *Pennsylvania Evening Post*.

While Paine focused his style and address towards the common people, the arguments he made touched on prescient debates of morals, government, and the mechanisms of democracy. That gave *Common Sense* a "second life" in the very public call-and-response nature of newspaper debates made by intellectual men of letters throughout Philadelphia. Paine's formulation of "war for an idea" led to, as Eric Foner describes it, "a torrent of letters, pamphlets, and broadsides on independence and the meaning of republican government... attacking or defending, or extending and refining Paine's ideas".

John Adams, who would succeed George Washington to become the new nation's second president, in his *Thoughts on Government* wrote that Paine's ideal sketched in *Common Sense* was "so democratical, without any restraint or even an attempt at any equilibrium or counter poise, that it must produce confusion and every evil work." Others, such as the writer calling himself "Cato," denounced Paine as dangerous and his ideas as violent. Paine was also an active and willing participant in what would become essentially a six-month publicity tour for independence. Writing as "The Forester," he responded to Cato and other critics in the pages of Philadelphia papers with passion and declared again in sweeping language that their conflict was not only with Great Britain but also with the tyranny inevitably resulting from monarchical rule.

Later scholars have assessed the influence of *Common Sense* in several ways. Some, like A. Owen Aldridge, emphasize that *Common Sense* could hardly be said to embody a particular ideology, and that "even Paine himself may not have been cognizant of the ultimate source of many of his concepts." They make the point that much of the pamphlet's value came as a result of the context in which it was published. Eric Foner wrote that the pamphlet touched a radical populace at the height of their radicalism, which culminated in Pennsylvania with a new constitution aligned along Paine's principles. Many have noted that Paine's skills were chiefly in persuasion and propaganda and that no matter the content of his ideas, the fervor of his conviction and the various tools he employed on his readers (such as asserting his Christianity when he really was a Deist), *Common Sense* was bound for success. Still others emphasized the uniqueness of Paine's vision, with Craig

Nelson calling him a "pragmatic utopian" who de-emphasized economic arguments in favor of moralistic ones, thus giving credence to the argument that *Common Sense* was propaganda.

In response to *Common Sense*, Rev. Charles Inglis, then the Anglican cleric of Trinity Church in New York, responded to Paine on behalf of colonists loyal to the Crown with a treatise entitled *The True Interest of America Impartially Stated*.

Chapter 9

Spirit of '76 (Sentiment)

The Spirit of '76 is a patriotic sentiment typified by the zeitgeist surrounding the American Revolution. It refers to the attitude of self-determination and individual liberty made manifest in the U.S. Declaration of Independence.

Meaning

The Spirit of '76 is a sentiment explored by Thomas Jefferson. According to the text published at Monticello, "The principles outlined in the Declaration of Independence promised to lead America—and other nations on the globe—into a new era of freedom.

The revolution begun by Americans on July 4, 1776, would never end. It would inspire all peoples living under the burden of oppression and ignorance to open their eyes to the rights of mankind, to overturn the power of tyrants, and to declare the triumph of equality over inequality."

Thomas Jewett wrote that at the time of the American Revolution, there was "an intangible something that is known as the 'Spirit of '76.' This spirit was personified by the beliefs and actions of that almost mythical group known as the Founding Fathers, and is perhaps best exemplified by Thomas Jefferson."

Jefferson and the Second Continental Congress believed the Spirit of '76 "included the 'self-evident' truths of being 'created

equal' and being 'endowed by their Creator with certain inalienable rights' including 'life, liberty, and the pursuit of happiness.'"

According to the *New York Times*, in a review of *What Kind of Nation: Thomas Jefferson, John Marshall, and the Epic Struggle to Create a United States*:

Jefferson's core conviction was that what might be called "the spirit of '76" had repudiated all energetic expressions of government power, most especially power exercised from faraway places, which included London, Philadelphia or Washington. In terms of domestic policy, he believed the states were sovereign and the federal government established by the Constitution was, as he put it, 'a foreign government.' Marshall's core conviction was that the spirit of '87 had trumped the spirit of '76, transforming the loose confederation of states into a coherent nation guided by a duly elected federal government empowered to make laws for all the American people.

According to the Adam Smith Institute, "The spirit of '76 was animated by the desire for personal freedom, both in our relations with others and in our transactions with them...Ultimately, if Americans are to restore constitutionally limited government instituted to guarantee their personal liberty, then they must revive the Spirit of '76."

Usage

In an 1806 court case, a Philadelphia judge wrote in his opinion: "General and individual liberty was the spirit of '76."

The Spirit of '76 is a well-known painting by the Ohio artist and Union Civil War veteran Archibald Willard. The painting, originally titled *Yankee Doodle*, was created in 1875 for the Centennial Exposition. The piece acquired the name "Spirit of 76" while it was on tour in Boston. The painting was initially commissioned to be "semi-humorous," but the death of Willard's father, the model for one of the painting's figures, changed the direction of its tone. It depicts three soldiers of the American Revolutionary War. Though one of them is wounded, the soldiers march on with spirit and determination. The painting is on display at Abbot Hall in Marblehead, Massachusetts.

Elizabeth Cady Stanton wrote of the spirit of '76 in reference to traveling to Philadelphia to celebrate the Centennial Exposition in 1876.

In 1843, the historian Mellen Chamberlain wrote that the spirit of '76 was embodied by Levi Preston, a veteran of the American Revolutionary War. Chamberlain asked Preston, then aged 91, "Why did you go to the Concord Fight, the 19th of April, 1775? My histories tell me that you men took up arms against 'intolerable oppression.'" Preston responded:

Oppressions? I didn't feel them. I never saw one of those stamps, and always understood that Governor Bernard put them all in Castle William. I am certain I never paid a penny for one of them. Tea tax! I never drank a drop of the stuff; the boys threw it all overboard. We read only the Bible, the Catechism, Watt's Psalms and Hymns, and the Almanack. Young man, what we meant in going for those redcoats was

this: we always had governed ourselves, and we always meant to. They didn't mean we should.

In an 1899 speech, *Liberty*, Eugene V. Debs remarked: "Manifestly, the spirit of '76 still survives. The fires of liberty and noble aspirations are not yet extinguished."

According to the Library of Congress, a 1915 postcard titled "Did I Save My Country for This!" "Calls forth the spirit of 1776 to support women's rights—particularly the right to vote. While women march for suffrage rights, George Washington is shown exclaiming "Did I save my country for this!"

L. Lloyd MacDonald wrote that "in 1776, a small group of thoughtful but defiant men gave new meaning to the definition of independence. Its embryo—a vibrant spirit of heart and mind known to many as 'the Spirit of '76."

Ira Moore delivered a speech at Oxford in 1822 titled *American Independence*. In the speech's postscript, he wrote that the speech "was written, principally, for an audience of intelligent, Republican farmers. Its object is what ought to be the object of all Fourth of July orations, to inculcate the republican principles, and to cherish the patriotic spirit of '76, and not the party spirit of 1814, which brought our country to the verge of destruction."

John Patrick Diggins wrote that after John Adams "went from being a revolutionary optimist to a constitutional pessimist, one who believed that liberty required controls and that the people needed to be protected, even from themselves...he came to be regarded as less than loyal to the 'Spirit of '76' and the very meaning of a republic."

Diggins also wrote that Abraham Lincoln "took the Declaration, which Jefferson regarded as a scientific document, interpreted it as a sacred text, and in the process of doing so he sacralized the whole meaning of the Spirit of '76." Further, "It was Lincoln's deepest conviction that the ideological significance of the American Revolution expressed itself in the Declaration and that the Spirit of '76 endowed America with its meaning and purpose in human history."

In 2009, John P. Resch authored *Suffering Soldiers: Revolutionary War Veterans, Moral Sentiment, and Political Culture in the Early Republic*, in which he wrote... "Veterans, particularly regular troops, became the principal symbols of the spirit of '76 and models of national character."

The spirit of '76, along with Custer's Last Stand and the Battle of the Alamo, has been noted as representing "moral and spiritual meaning that can motivate individuals and societies."

In a 2001 book titled *Harmonizing Sentiments: The Declaration of Independence and the Jeffersonian Idea of Self-Government*, Hans L. Eicholz wrote... "The spirit of '76 has been lost—and with it so much else."

In 2011, academic Daren Jonescu argued that "The Tea Party represents the modern incarnation of the Spirit of 1776."

Ron Grossman, writing for the *Chicago Tribune*, opined that the spirit of '76 is often lost in the fanfare over the Fourth of July, noting that "historians and descendants of the first American citizens wonder if modern celebrations--from food fests and rock concerts to fishing tournaments and car rallies--are missing the point."

In a 2013 column titled *Americans Still Embrace the Spirit of '76*, Scott Rasmussen wrote: "We believe that we have the right to make our own decisions about our own lives so long as they don't infringe on the rights of others. We use our freedom to solve problems by working together in communities. This attitude was described by Thomas Jefferson and others as "the Spirit of '76." It continues to create problems for political elites today because 63 percent think there is more danger with a government that is too powerful than with one that is not powerful enough."

Chapter 10

All Men are Created Equal

The quotation "all men are created equal" is part of the sentence in the U.S. Declaration of Independence, which Thomas Jefferson penned in 1776 during the beginning of the American Revolution that reads, "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". The phrase was present in Jefferson's original draft of the declaration. It was thereafter quoted and incorporated into speeches by a wide array of substantial figures in American political and social life in the United States. The final form of the phrase was stylized by Benjamin Franklin. It has been called an "immortal declaration", and "perhaps [the] single phrase" of the American Revolutionary period with the greatest "continuing importance."

Origin of Thomas Jefferson's use of the phrase

Thomas Jefferson, through his friendship with Marquis de Lafayette, was heavily influenced by French philosophers of the Age of Enlightenment, such as Voltaire, Rousseau and Montesquieu. In their often censored writings, those philosophers advocated that men were born free and equal. This later led to the French Revolution of 1789 and the concept of Human Rights (Droits de l'Homme in French). At the age of

33, Jefferson may have also borrowed the expression from an Italian friend, born in Prato, and neighbor, Philip Mazzei, as noted by Joint Resolution 175 of the 103rd Congress as well as by John F. Kennedy in *A Nation of Immigrants*.

An earlier mention of almost the exact same phrase is in John Milton's 1649 book called *The Tenure of Kings and Magistrates*, written after the First English Civil War to defend the actions and rights of the Parliamentary cause, in the wake of the execution of king Charles I.

The English poet says: "No man who knows ought, can be so stupid to deny that all men naturally were borne free, being the image and resemblance of God himself [...] born to command and not to obey: and that they liv'd so".

In 1776 the Second Continental Congress asked Benjamin Franklin, Thomas Jefferson, John Adams, Robert Livingston, and Roger Sherman to write the Declaration of Independence. This Committee of Five voted to have Thomas Jefferson write the document.

After Jefferson finished he gave the document to Franklin to proof. Franklin suggested minor changes, one of which stands out far more than the others: "We hold these truths to be sacred and un-deniable..." became "We hold these truths to be self-evident."

The second paragraph of the United States Declaration of Independence starts as follows: "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."

The Virginia Declaration of Rights, chiefly authored by George Mason and approved by the Virginia Convention on June 12, 1776, contains the wording: "all men are by nature equally free and independent, and have certain inherent rights of which . . . they cannot 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." George Mason was an elder-planter who had originally stated John Locke's theory of natural rights: "All men are born equally free and independent and have certain inherent natural rights of which they cannot, by any compact, deprive or divest their posterity; among which are the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety." Mason's draft was accepted by a small committee and then rejected by the Virginia Convention. Thomas Jefferson, a competent Virginia lawyer, saw this as a problem in legal writing and chose words that were more acceptable to the Second Continental Congress.

The Massachusetts Constitution, chiefly authored by John Adams in 1780, contains in its Declaration of Rights the wording: "All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness."

The plaintiffs in the cases of *Brom and Bett v. John Ashley* and *Commonwealth v. Nathaniel Jennison* argued that this provision abolished slavery in Massachusetts. The latter case resulted in a "sweeping declaration . . . that the institution of slavery was incompatible with the principles of liberty and legal equality articulated in the new Massachusetts Constitution".

The phrase has since been considered a hallmark statement in democratic constitutions and similar human rights instruments, many of which have adopted the phrase or variants thereof.

Slavery and the phrase

The contradiction between the claim that "all men are created equal" and the existence of American slavery, including Thomas Jefferson himself owning slaves, attracted comment when the Declaration of Independence was first published. Before final approval, Congress, having made a few alterations to some of the wording, also deleted nearly a fourth of the draft, including a passage criticizing the slave trade. At that time many other members of Congress also owned slaves, which clearly factored into their decision to delete the controversial "anti-slavery" passage. Jefferson believed adding such a passage would dissolve the independence movement. Jefferson, decades before the Declaration of Independence, argued in court for the abolition of a slave. The court dismissed the case outright. In writing the declaration, Jefferson believed the phrase "all men are created equal" to be self-evident, and would ultimately resolve slavery. In 1776, abolitionist Thomas Day wrote: "If there be an object truly ridiculous in nature, it is an American patriot, signing

resolutions of independency with the one hand, and with the other brandishing a whip over his affrighted slaves." This phrase is further used in Martin Luther King's 'I have a dream speech' for many of these same reasons.

Criticism

The phrase "all men are created equal" has received criticism from elitists and traditional conservatives. For instance, Richard M. Weaver writing in one of the cornerstone works of traditional conservatism, *Ideas Have Consequences* (1948), paraphrased a 19th-century writer in writing that "no man was ever created free and no two men [were] ever created equal". He continues: "The comity of peoples in groups large or small rests not upon this chimerical notion of equality but upon fraternity, a concept which long antedates it in history because it goes immeasurably deeper in human sentiment. The ancient feeling of brotherhood carries obligations of which equality knows nothing. It calls for respect and protection, for brotherhood is status in family, and family is by nature hierarchical."

The term 'all men are created equal', is part of the sentence that in its entirety says, "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".

Howard Zinn has written that the use of the word 'men', to the exclusion of women, indicated the women were "beyond consideration as worthy of inclusion" and "they were simply

overlooked in any consideration of political rights, any notions of civic equality".

Legacy

The Vietnamese proclamation of independence, written in 1945, uses the phrase "all men are created equal" and mentions the U.S. Declaration of Independence in it as well.

The Rhodesian declaration of independence, ratified in November 1965, is based on the American one, however, it omits the phrase "all men are created equal", along with "the consent of the governed".

Chapter 11

Life, Liberty and the Pursuit of Happiness

"Life, Liberty and the pursuit of Happiness" is a well-known phrase in the United States Declaration of Independence. The phrase gives three examples of the unalienable rights which the Declaration says have been given to all humans by their creator, and which governments are created to protect. Like the other principles in the Declaration of Independence, this phrase is not legally binding, but has been widely referenced and seen as an inspiration for the basis of government.

Origin and phrasing

The United States Declaration of Independence was drafted by Thomas Jefferson, and then edited by the Committee of Five, which consisted of Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert Livingston. It was then further edited and adopted by the Committee of the Whole of the Second Continental Congress on July 4, 1776.

The second paragraph of the first article in the Declaration of Independence contains the phrase "Life, Liberty and the pursuit of Happiness".

Jefferson's "original Rough draught" is on exhibit in the Library of Congress. This version was used by Julian Boyd to create a transcript of Jefferson's draft, which reads:

We hold these truths to be sacred & undeniable; that all men are created equal & independent, that from that equal creation they derive rights inherent & inalienable, among which are the preservation of life, & liberty, & the pursuit of happiness; ...

The Committee of Five edited Jefferson's draft. Their version survived further edits by the whole Congress intact, and reads:

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. ——

A number of possible sources or inspirations for Jefferson's use of the phrase in the Declaration of Independence have been identified, although scholars debate the extent to which any one of them actually influenced Jefferson. The greatest disagreement comes between those who suggest the phrase was drawn from John Locke and those who identify some other source.

Lockean roots hypothesis

In 1689, Locke argued in *Two Treatises of Government* that political society existed for the sake of protecting "property", which he defined as a person's "life, liberty, and estate". In *A Letter Concerning Toleration*, he wrote that the magistrate's power was limited to preserving a person's "civil interest", which he described as "life, liberty, health, and indolency of body; and the possession of outward things". He declared in his *Essay Concerning Human Understanding* that "the highest perfection of intellectual nature lies in a careful and constant pursuit of true and solid happiness".

According to those scholars who saw the root of Jefferson's thought in Locke's doctrine, Jefferson replaced "estate" with "the pursuit of happiness", although this does not mean that Jefferson meant the "pursuit of happiness" to refer primarily or exclusively to property.

Under such an assumption, the Declaration of Independence would declare that government existed primarily for the reasons Locke gave, and some have extended that line of thinking to support a conception of limited government.

Virginia Declaration of Rights

The first and second article of the Virginia Declaration of Rights, written by George Mason and adopted unanimously by the Virginia Convention of Delegates on June 12, 1776, speaks of happiness in the context of recognizably Lockean rights and is paradigmatic of the way in which "the fundamental natural rights of mankind" were expressed at the time: "That 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."

Benjamin Franklin was in agreement with Thomas Jefferson in playing down the protection of "property" as a goal of government. It is noted that Franklin found the property to be a "creature of society" and thus, he believed that it should be taxed as a way to finance civil society.

Alternative hypotheses

In 1628, Sir Edward Coke wrote in *The First Part of the Institutes of the Lawes of England*, his commentary on Thomas de Littleton, that "It is commonly said that three things be favoured in Law, Life, Liberty, Dower." At common law, dower was closely guarded as a means by which the widow and orphan of a deceased landowner could keep their real property.

Garry Wills has argued that Jefferson did not take the phrase from Locke and that it was indeed meant to be a standard by which governments should be judged. Wills suggests Adam Ferguson as a good guide to what Jefferson had in mind:

"If, in reality, courage and a heart devoted to the good of mankind are the constituents of human felicity, the kindness which is done infers a happiness in the person from whom it proceeds, not in him on whom it is bestowed; and the greatest good which men possessed of fortitude and generosity can procure to their fellow creatures is a participation of this happy character. If this be the good of the individual, it is likewise that of mankind; and virtue no longer imposes a task by which we are obliged to bestow upon others that good from which we ourselves refrain; but supposes, in the highest degree, as possessed by ourselves, that state of felicity which we are required to promote in the world."

The 17th-century cleric and philosopher Richard Cumberland wrote that promoting the well-being of our fellow humans is essential to the "pursuit of our own happiness". Locke never associated natural rights with happiness, but his philosophical opponent Gottfried Wilhelm Leibniz made such an association

in the introduction to his *Codex Iuris Gentium*. William Wollaston's *The Religion of Nature Delineated* describes the "truest definition" of "natural religion" as being "*The pursuit of happiness* by the practice of reason and truth". An English translation of Jean-Jacques Burlamaqui's *Principles of Natural and Politic Law* prepared in 1763 extolled the "noble pursuit" of "true and solid happiness" in the opening chapter discussing natural rights. Historian Jack Rakove posits Burlamaqui as a source in addition to Locke as inspiration for Jefferson's phrase.

Another possible source for the phrase is in the *Commentaries on the Laws of England* published by Sir William Blackstone, from 1765 to 1769, which are often cited in the laws of the United States. Blackstone argues that God 'has so intimately connected, so inseparably interwoven the laws of eternal justice with the happiness of each individual, that the latter cannot be attained but by observing the former; and, if the former be punctually obeyed, it cannot but induce the latter. In consequence of which mutual connection of justice and human felicity, he has not perplexed the law of nature with a multitude of abstracted rules and precepts, referring merely to the fitness or unfitness of things, as some have vainly surmised; but has graciously reduced the rule of obedience to this one paternal precept, "that man should pursue his own true and substantial happiness." This is the foundation of what we call ethics, or natural law.'

Comparable mottos worldwide

Other tripartite mottos include "liberté, égalité, fraternité" (liberty, equality, fraternity) in France; "Einigkeit und Recht

und Freiheit" (unity, justice and liberty) in Germany and "peace, order, and good government" in Canada. It is also similar to a line in the Canadian Charter of Rights: "life, liberty, security of the person" (this line was also in the older Canadian Bill of Rights, which added "enjoyment of property" to the list).

The phrase can also be found in Chapter III, Article 13 of the 1947 Constitution of Japan, and in President Ho Chi Minh's 1945 declaration of independence of the Democratic Republic of Vietnam. An alternative phrase "life, liberty, and property", is found in the Declaration of Colonial Rights, a resolution of the First Continental Congress. The Fifth Amendment and Fourteenth Amendment to the United States Constitution declare that governments cannot deprive any person of "life, liberty, or property" without due process of law. Also, Article 3 of the Universal Declaration of Human Rights reads, "Everyone has the right to life, liberty, and security of person".