

The Roots of American Democracy

What ideas gave birth to the world's first modern democratic nation?

Vocabulary

Glossary Vocabulary Cards

representative
government

rule of law

limited government

individual rights

separation of powers

popular sovereignty

constitutionalism

majority rule

Introduction

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Americans gather around Independence Hall in Philadelphia, Pennsylvania, to celebrate the bicentennial in 1976.

On July 4, 1976, Americans celebrated their nation's 200th birthday. Two centuries earlier, in 1776, the United States of America came into being with the signing of the Declaration of Independence. No one had been more pleased than John Adams, who had worked tirelessly for independence. The anniversary of this first Independence Day would, he hoped, "be commemorated as the day of deliverance." He added,

It ought to be solemnized with pomp and parade, with shows, games, sports, guns, bells, bonfires, and illuminations, from one end of this continent to the other, from this time forward forevermore.

In 1976, President Gerald Ford marked the bicentennial by giving a speech in Philadelphia, where the Declaration was signed. "The American adventure is a continuing process," he said. "As one milestone is passed, another is sighted . . . As we begin our third century, there is still so much to be done." Just as John Adams had hoped, magnificent fireworks displays lit the skies across the nation.

Eleven years later, on September 17, 1987, Americans celebrated another bicentennial—this time to commemorate the signing of the U.S. Constitution. In Philadelphia, where the Constitution had been written during a long hot summer, a quarter million people turned out for a grand celebration.

At 4:00 p.m., the hour in which the Constitution was signed, former U.S. Chief Justice Warren Burger rang a replica of the Liberty Bell. At that moment, other bells rang out in communities across the nation and at U.S. embassies and military bases around the world.

These two bicentennial events reminded Americans that they live in a country that is held together not by blood or history, but by ideas. Those ideas, first put forth in the Declaration and then given shape in the Constitution, were not new. Some had roots extending into ancient times. But never before had anyone tried to build a nation on something so powerful, yet intangible, as ideas.

1. Ideas That Shaped Colonial Views on Government

The Declaration of Independence and the U.S. Constitution are among the most important political documents ever written. Their authors—men like Thomas Jefferson, John Adams, Benjamin Franklin, and James Madison—were among the most creative political thinkers of their time. But these men did not operate in an ideological vacuum. They were influenced by political ideas and ethical teachings that had roots in ancient times. These ideas and beliefs helped to shape political views in the colonies and eventually gave rise to the American system of government.

The Religious and Classical Roots of Colonial Ideas About Government Colonial thinkers were strongly influenced by the ethical ideas shared by the Judeo-Christian religious traditions. Their notion of justice, for example, was rooted in the principles of ancient Judaism, which stressed that people should seek to create a just society based on respect for the law.

They were also influenced by the concept of **natural law**. This was the belief that there exists, beyond the framework of human laws, a universal set of moral principles that can be applied to any culture or system of justice. According to the Christian philosopher Thomas Aquinas, people could discover these natural laws using both reason

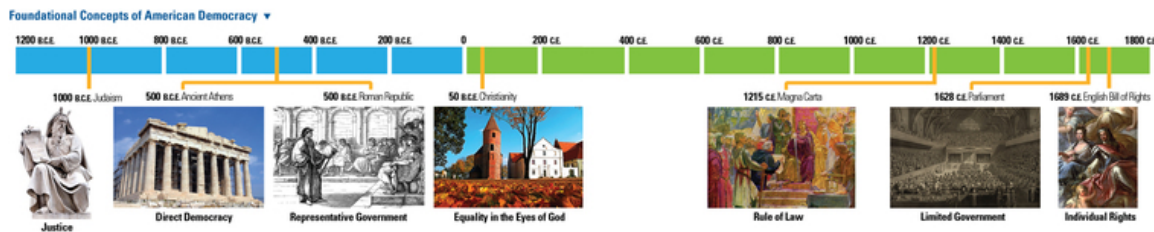
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and their inborn sense of right and wrong. A human law that violated natural law, many colonists believed, was unjust and should be changed.

The creators of the Declaration of Independence used natural law to explain why the 13 colonies needed to rebel against the British. The Declaration states that “the Laws of Nature and of Nature’s God” empowered the colonies to seek a “separate and equal station” from an oppressive government.

Colonial leaders also looked to the ancient past for ideas about how to govern a society. From the Greek city-state of Athens came the tradition of direct democracy, or decision making by all citizens. Direct democracy took root in New England’s town meetings, where citizens gathered to discuss and solve their local problems.

From the Roman Republic came the idea of republicanism, or **representative government**, which refers to decision making by officials elected from the citizenry. Many colonists also admired the Roman idea of civic virtue, which they understood to mean a willingness to serve one’s country.



Colonial thinkers were strongly influenced by many ideologies throughout history, illustrated by this timeline. These ideologies formed the foundation of the Declaration of Independence and the U.S. Constitution.

The English Roots of American Government The traditions and principles of English government also had a great and lasting influence on political views in the American colonies. Although the colonists eventually rebelled against British rule, they had great respect for English common law and Britain’s constitutional system.

Britain’s constitutional system was based on a set of laws, customs, and practices that limited the powers of government and guaranteed the people certain basic rights. In fact, one reason the colonists rebelled was to secure the “rights of Englishmen” that they believed had been denied to them.

This tradition of English rights was based on three key documents: the Magna Carta, the Petition of Right, and the English Bill of Rights. The first— the Magna Carta, or “Great Charter”—was signed by King John in 1215. A **charter** is a written grant of authority. The Magna Carta was forced on the king by English nobles, who were angered by the heavy taxes and arbitrary rules imposed by their monarch.

The Magna Carta defined the rights and duties of English nobles and set limits on the monarch’s power. For example, the charter stated that the monarch could not make special demands for money from his nobles without their consent. In time, this provision was used to support the argument that no tax should be levied by a monarch without Parliament’s consent.

In addition, the Magna Carta established the idea of the **rule of law**, a principle that government is based on clear and fairly enforced laws and that no one is above the law. One article of the charter says that the king cannot sell, deny, or delay justice. Another states that “no free man shall be seized or imprisoned . . . except by the lawful judgment of his equals or by the law of the land.” The Magna Carta made it clear that all people, including the monarch, were subject to the rule of law.

Over the next few centuries, English monarchs often ignored or defied the principles set down in the Magna Carta. Royal taxation and abuse of power sparked ongoing struggles with Parliament. In 1628, Parliament tried to limit the power of King Charles I by passing a law called the Petition of Right. This second key document prohibited arbitrary arrests and the quartering of troops in private homes without the owners’ consent. The Petition of Right underscored the principle of **limited government** by affirming that the king’s power was not absolute.

The third key document, the English Bill of Rights, was passed by Parliament in 1689. At the time, Britain was just emerging from years of political turmoil and civil war. Parliament offered the throne to a new king and queen, William and Mary of Orange, but insisted that they accept the Bill of Rights as a condition of their rule.

The English Bill of Rights reaffirmed the principle of **individual rights** established in the Magna Carta and the Petition of Right. New individual rights guaranteed to British subjects included the right to petition the king, the right to bear arms, and freedom from cruel and unusual punishments. Other provisions included the right to trial by jury and to hold elections without royal interference. The English Bill of Rights also finally established the power of Parliament over the monarchy. For example, the king could not levy taxes or maintain an army during

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peacetime without Parliament's consent.

The Contributions of English Enlightenment Thinkers Colonial leaders were also strongly influenced by the ideas of the Enlightenment, an intellectual movement of the 1600s and 1700s. Enlightenment thinkers stressed the value of science and reason, not only for studying the natural world, but also for improving human society and government.

Two key figures of the early Enlightenment were the English philosophers Thomas Hobbes and John Locke. Both men helped develop the social-contract theory, which stated that people in society agreed to give up some of their freedom to governments in exchange for security and order.

Hobbes first introduced the idea that government was the result of a social contract between people and their rulers. In his book *Leviathan*, published in 1651, Hobbes theorized that people had once lived in a state of nature. This state was an imaginary time before any governments had been formed. People living in this mythical time were free to do as they pleased, without laws or other restraints. However, Hobbes believed that because some people used their freedom to prey on others, the result was a war of "every man against every man." For most people, Hobbes wrote, life in this time was "solitary, poor, nasty, brutish, and short."

To escape from this misery, Hobbes argued, people entered into an agreement known as the social contract. This contract obliged the people to give up some of their freedom by agreeing to obey an absolute ruler. In exchange for this pledge of obedience, the ruler agreed to bring peace and order to society. Hobbes was obviously not promoting democracy in his writing, but his socialcontract theory did lay the groundwork for the idea that government was formed by the consent of the people.

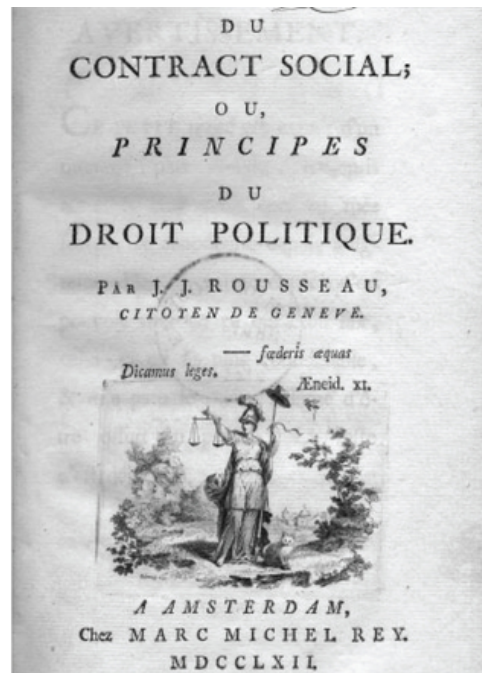
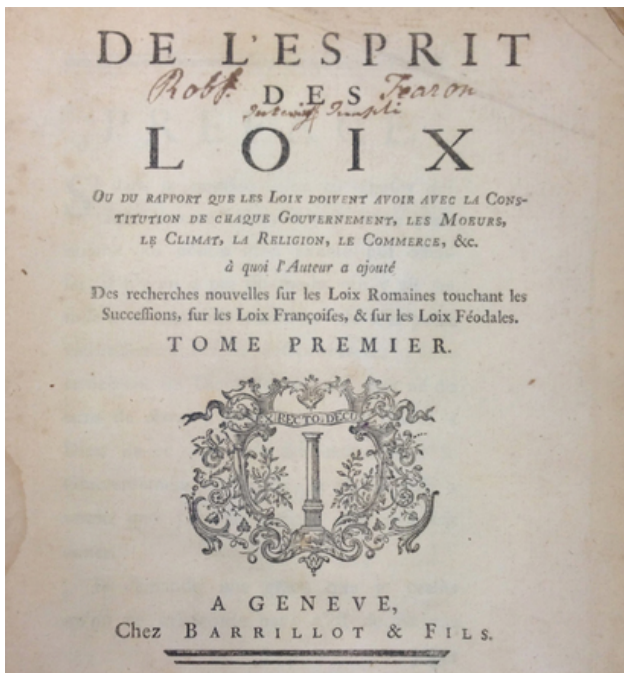
Locke took the idea of a social contract between the people and their rulers a step further. In his *Second Treatise on Government*, published in 1689, Locke argued that in the state of nature, all people were equal and enjoyed certain **natural rights**, or rights that all people have by virtue of being human. These rights include the right to life itself, to liberty, and to the ownership of property produced or gained through one's own labors.

Locke agreed with Hobbes that it was in people's self-interest to enter into a social contract that exchanged some of their freedom for the

protection of government. Additionally, Locke went on to argue that this social contract was provisional. If a ruler failed to protect the life, liberty, and property of the people governed, then the people had a right to overthrow that ruler and establish a new government.

The idea that the purpose of government was to protect the rights of the people exerted a powerful influence on colonial thinkers. Eventually, this idea would be used to help justify the American Revolution.

Influences of French Enlightenment Thinkers Two French thinkers also made major contributions to political thought during the Enlightenment. One was Charles-Louis de Secondat, more commonly known as Baron de Montesquieu. The other was Jean-Jacques Rousseau.



Two books written during the Enlightenment had a profound influence on the American Revolution. Baron de Montesquieu's *The Spirit of Laws* and Jean-Jacques Rousseau's *The Social Contract* discussed concepts applicable to government.

Montesquieu is most famous for his book *The Spirit of Laws*, published in 1748. In this book, Montesquieu argued that governments should be organized in a way that prevents any one person or group from dominating or oppressing others. This argument led him to propose a three-branch system of government— executive, legislative, and judicial— with separate functions for each branch. In this system, each

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branch would act to limit the power of the other branches. This principle of **separation of powers** was so admired by Americans that they applied it to their colonial governments.

Rousseau was a Swiss-born philosopher who spent much of his life in France. In his book *The Social Contract*, Rousseau extended the concept of a social contract still further. He proposed that for a government formed by a social contract to have legitimacy, it must be based on **popular sovereignty**, or the general will of the people. He wrote,

The heart of the idea of the social contract may be stated simply: Each of us places his person and authority under the supreme direction of the general will, and the group receives each individual as an indivisible part of the whole.

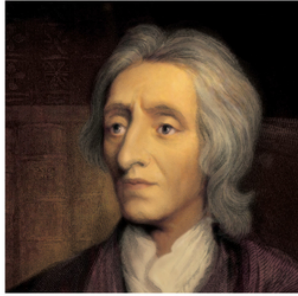
—Jean-Jacques Rousseau, *The Social Contract*, 1762

Rousseau further argued that if a government acted contrary to the general will, it had broken the social contract and should be dissolved. Many colonial leaders agreed with Rousseau that government should be based on the will of the people. Thomas Paine, whose book *Common Sense* helped push the colonies toward independence, was particularly influenced by Rousseau's writings.

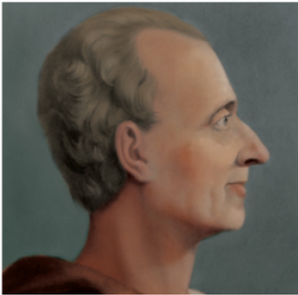
Gallery of Enlightened Thinkers ▾



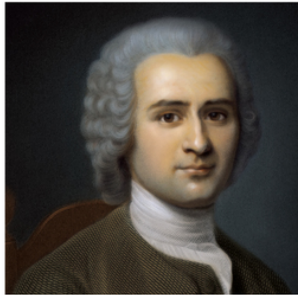
Thomas Hobbes (1588–1679) was an English philosopher who developed the notion of a social contract between rulers and their subjects. He thought that people were too selfish to govern themselves and needed the protection of a strong ruler. He wrote, "All mankind [has] a perpetual and restless desire of power . . . that ceaseth only in death."



John Locke (1632–1704) was an English political theorist and philosopher whose ideas helped lay the foundations for democratic government. Unlike Hobbes, Locke believed that people formed governments to protect their rights, not to save them from themselves. "The end [purpose] of law is not to abolish or restrain," he wrote, "but to preserve and enlarge freedom."



Baron de Montesquieu (1689–1755) was a French aristocrat and political philosopher. He believed that democracy was the best form of government. But he said that power must be divided among different groups for democracy to work. "When the [lawmaking] and [law enforcement] powers are united in the same person," he wrote, "there can be no liberty."



Jean-Jacques Rousseau (1712–1778), a French philosopher, believed that people were naturally good but were corrupted and enslaved by society. "Man is born free," he observed, but "everywhere he is in chains." Rousseau said that governments had a duty to secure freedom for their people. If they did not, they had no right to exist. "Force does not create right," he wrote. "Obedience is due only to legitimate powers."

2. From Ideas to Independence: The American Revolution

The colonists gathered ideas about government from many sources and traditions. But these ideas did not all come from the study of ancient history or European philosophy. They were also shaped by the colonists' everyday lives in colonial America.

Colonial Experience with Self-Government Most of the 13 colonies were established under royal charters issued by the king. These charters gave ultimate power to the king and his appointed officials. But because the colonies were so far from Britain, the charters left a significant amount of local control in the hands of the colonists themselves.

In several colonies, the settlers modified their royal charters or added other agreements. One example of an early agreement was the Mayflower Compact. This historic document was named after the

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Mayflower, the small ship that brought English colonists to Massachusetts in 1620.

Before the settlers landed, they drew up a **compact**, or agreement, for the governing of the new colony. In this compact, they agreed to live in a "Civil Body Politic." They also agreed to obey "just and equal Laws" enacted by representatives of their choosing "for the general good of the Colony." This was the first written framework for self-government in the American colonies.

New England colonists soon developed their own form of local government, a version of direct democracy known as the town meeting. At these town meetings, residents could discuss issues and make decisions that affected their entire community.

Later, in 1641, colonists in Massachusetts created New England's first code of laws, called the Massachusetts Body of Liberties. Following in the tradition of English government, this code guaranteed certain basic rights to the colonists.

By the early 1700s, most colonies had developed a governing structure of executive, legislative, and judicial branches. The executive was a governor, usually appointed by the king. Royal governors had substantial power, although that power could be partly limited by colonial legislatures.



The first representative assembly in colonial America, Virginia's House of Burgesses, was founded in Jamestown in 1619 but later moved to the new capital of Williamsburg. Today, a restored version of the Capitol, where the assembly met, is one of the prime attractions of Colonial Williamsburg.

The legislatures typically consisted of two houses. The upper house was a council appointed by the governor. The lower house was an elected assembly with members chosen by voters in the colony.

The first elected assembly in the colonies was Virginia's House of Burgesses, established in 1619. Later, the other colonies formed elected assemblies. Like Parliament, these assemblies held the "power of the purse"—the power to approve new taxes or spending—which meant they could exercise some control over the governor.

The colonial assemblies were hardly models of democracy, because in most cases only white, male landowners were allowed to vote. Nevertheless, the assemblies reflected a belief in self-government. They also affirmed the principle that the colonists could not be taxed except by their elected representatives. Over time, the assemblies would play an increasingly important role in colonial government.

From “Benign Neglect” to Armed Rebellion By the mid-1700s, the colonies were accustomed to managing their own affairs. Although Britain provided defense and a market for products grown or produced in the colonies, it rarely interfered with the day-to-day business of government.

In the 1760s, however, Britain reversed this policy of “benign neglect” by enforcing taxes and restrictions on the colonies. This change came about after the French and Indian War, a war fought against France and its Indian allies on North American soil.

Britain won the French and Indian War in 1763. As a result, it gained control of Canada and the Ohio Valley, areas formerly claimed by France. To defend that territory, Britain stationed more troops in the colonies. The British government argued that the colonies should pay some of the cost of this added defense. To achieve that end, Parliament enacted the Stamp Act in 1765, which said Americans must buy stamps to place on their deeds, mortgages, liquor licenses, playing cards, almanacs, and newspapers.

The colonists were outraged. In their eyes, the stamps were a form of taxation. As British citizens, only their elected representatives could tax them. Therefore, because the colonies had no representation in Parliament, the taxes were illegal.

Raising the cry of “no taxation without representation,” the colonists united in protest against the Stamp Act. In response, the British government repealed the hated act. But it continued trying to control the colonies through taxes and other measures. Protests continued and violence flared. On March 5, 1770, British troops shot and killed five agitators in Boston, an incident known as the Boston Massacre.

In 1773, Parliament tried again to force the colonies to accept its authority, this time by placing a tax on imported tea. Late that year, three ships arrived in Boston Harbor with the first load of taxed tea. Colonists dressed as Indians emptied 342 chests of tea into the harbor in defiance of British authority.

In a belated effort to crack down on such protests, Parliament imposed sanctions known in the colonies as the Intolerable Acts. These harsh penalties further inflamed colonial resistance to British rule. Hoping to defuse the escalating conflict, colonial leaders gathered in Philadelphia in 1774. This assembly, known as the First Continental Congress, called for peaceful opposition to British policies.

By this time, however, colonial patriots were already forming **militias**, or groups of armed citizens, to defend their rights. On April 19, 1775, militia troops from Massachusetts clashed with British soldiers in battles at Lexington and Concord. These early skirmishes marked the beginning of the American Revolution.

The Route to Rebellion ▼

A series of actions and events starting in the 1760s set the American colonies on a course toward armed revolution and independence.

1765 Stamp Act
A tax levied by Parliament on all paper goods in the colonies raises cries of "no taxation without representation."

1767 Townshend Acts
These acts place duties on goods imported into the colonies. The colonists resist by boycotting all British goods.

1770 Boston Massacre
Protesters in Boston provoke British soldiers, causing them to fire into the crowd, killing five people. Paul Revere's famous engraving of the event helps spark further protests.

1773-1774 Boston Tea Party and the Intolerable Acts
Colonists protesting the Tea Act dump taxed tea into Boston Harbor. Britain responds by imposing the Intolerable Acts on the colonies. George Washington calls the acts "repugnant to every principle of natural justice."

1775 Fighting begins
Militia troops skirmish with British soldiers at Lexington and Concord, beginning the American Revolution.

1776 Declaration of Independence
The Continental Congress adopts a resolution declaring the colonies to be "Free and Independent States."

The Decision to Declare Independence Shortly after fighting broke out in Massachusetts, the Continental Congress met again. The delegates quickly voted to form a Continental Army made up of volunteers from all the colonies. They chose George Washington, a leading officer in the Virginia militia, to be the new army's commanding officer.

Still, the Congress hesitated to call for a final break with Britain. Many delegates hoped instead that a peaceful resolution could be found. John Adams of Massachusetts, however, was not among this group of delegates. Over the next year, Adams worked tirelessly to convince his fellow delegates that independence should be their goal.

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Thomas Jefferson, shown here with Benjamin Franklin and John Adams, drafted the Declaration of Independence. In many ways, Jefferson, a Virginia slaveholder, was an odd choice for this task. For all his fine words about liberty and equality, he was unwilling to apply his “selfevident” truths to the people he held in bondage.

Finally, in June 1776, the Congress formed a committee to draft a declaration of independence. This committee consisted of five men: Thomas Jefferson of Virginia, John Adams of Massachusetts, Benjamin Franklin of Pennsylvania, Roger Sherman of Connecticut, and Robert R. Livingston of New York. The task of crafting the first draft went to Jefferson. A gifted writer steeped in Enlightenment ideas, Jefferson wrote,

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.

—Declaration of Independence, 1776

In these two sentences, Jefferson set forth a vision of a new kind of nation. Unlike old nations based on blood ties or conquest, this new nation was born of two key ideas. The first was that governments are formed to protect people's **unalienable rights**. In a slight twist on Locke, Jefferson defined those basic individual rights as the rights to life, liberty, and the pursuit of happiness. The second key idea was that governments derive "their just powers from the consent of the governed."

The Declaration goes on to say that if a government fails to protect people's rights, the people should abolish it and form a new one. To bolster the case for doing this, the Declaration details "a long train of abuses" that violated the colonists' rights. The document concludes with a bold declaration:

These United Colonies are, and of Right ought to be Free and Independent States; . . . they are Absolved from all Allegiance to the British Crown, and . . . all political connection between them and the State of Great Britain, is and ought to be totally dissolved . . . And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor. —Declaration of Independence, 1776

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This statue in the Virginia State Capitol shows George Washington as an American “Cincinnatus.” The name comes from a legendary citizen-soldier in ancient Rome named Cincinnatus. Like Washington, Cincinnatus led an army to victory in a time of crisis, then retired to his farm after the war ended rather than trying to seize power. In honor of this display of civic virtue, officers in the Continental Army formed the Society of the Cincinnati, with Washington as its first president. The society’s motto is, “He gave up everything to serve the republic.”

On July 4, 1776, the members of Congress formally approved the Declaration of Independence. The Declaration was later written on parchment for delegates to sign. By signing the Declaration, the delegates were making a formal declaration of war against what was then the most powerful nation on Earth.

Creating a New Government During Wartime The fighting with Great Britain dragged on for five years, finally ending in 1781 with the surrender of the British army at Yorktown, Virginia. During this time, the Continental Congress served as the new nation's government. It raised troops and supplies for the war effort, borrowed large sums of money, and negotiated treaties with foreign countries. Most of this was done without the backing of a constitution, but not for lack of trying on the part of Congress.

After declaring independence, Congress appointed a committee to prepare a plan of government known as the Articles of Confederation. This plan was approved by Congress in 1777 and sent to the states for **ratification**, or formal approval. The states did not get around to approving the Articles until 1781, just months before the fighting ended.

With or without a constitution, Congress had a hard time managing the war effort. It depended on the states for funding and was often short of money.

As a result, it had difficulty supplying the troops with arms and provisions. Many soldiers had to fight without adequate weapons, uniforms, or food to sustain them.

By the war's end, many Americans were skeptical of Congress's ability to govern the new nation. Some believed that the country needed a strong ruler to ensure stability. The obvious choice was George Washington, commander of the army and hero of the revolution.

In 1782, an army officer who longed for such a strong ruler wrote a letter to Washington. In it, he expressed his hope, shared by many of his fellow officers, that the independent American states would be joined into "a kingdom with Washington as the head." General Washington was appalled. He had fought for too long to sever ties with a monarchy to aspire to becoming another king. He responded to his admirer,

Be assured Sir, no occurrence in the course of the War, has

given me more painful sensations than your information of there being such ideas existing in the Army . . . banish these thoughts from your mind.

—George Washington, 1782

Although Washington rejected the idea of an American monarchy, as well as making himself a king, that incident hinted at some of the difficulties facing the new American government.

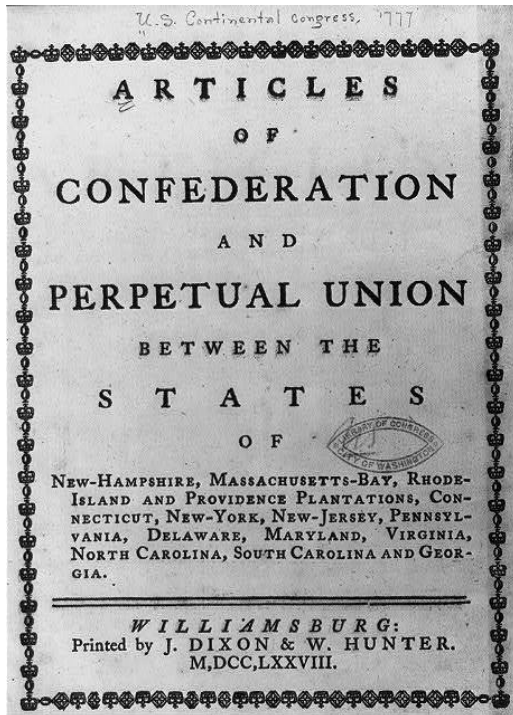
3. Putting Ideas to Work: Framing New Constitutions

The Articles of Confederation was only one of many new plans of government drafted during the war. Each of the 13 states also needed a constitution. As leaders in each state set about this task, they found few models to guide them. England did not have a written constitution. Its system of government was based on an assortment of laws, policies, and customs developed over the centuries. When it came to writing formal constitutions, the Americans were on their own.

State Constitutions: Giving Power to the People In framing their new plans of government, state lawmakers demonstrated their commitment to **constitutionalism**, or the idea that government should be based on an established set of principles. These principles included popular sovereignty, limited government, the rule of law, and **majority rule**. The lawmakers also separated the powers of government by creating executive, legislative, and judicial branches, just as Montesquieu had described.

In addition, all state constitutions began with a statement of individual rights. The first of these, the Virginia Declaration of Rights, was adopted in June 1776 as part of Virginia's constitution. It served as a model for other state constitutions and later for the U.S. Bill of Rights.

The governments created under the new state constitutions derived their power from the people. However, they were not completely democratic. The states typically limited voting rights to white men who paid taxes or owned a certain amount of property. None of the original 13 state constitutions specifically outlawed slavery, and all states south of Pennsylvania denied slaves equal rights as human beings.



The Articles of Confederation was ratified by all 13 states in 1781. Ultimately, this document failed and was replaced by the Constitution.

Governing Under the Articles of Confederation The national government created under the Articles of Confederation was much weaker than the governments established in the states. Although some members of Congress wanted a strong central government, the majority preferred a loose confederation, with most powers remaining at the state level. The Articles emphasized that each state would retain its “sovereignty, freedom, and independence.” Any power not specifically given to Congress was reserved for the states.

The government created under the Articles consisted only of a congress, with members chosen by the states. It had neither an executive to carry out laws nor a judicial branch to settle legal questions. On paper, at least, Congress did have several key powers. It could declare war, negotiate with foreign countries, and establish a postal system. It could also settle disputes between states. But it had no power to impose taxes, which meant it was often starved for funds.

Despite these limitations, Congress held the nation together through years of war. It also enacted at least one landmark piece of legislation,

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the Northwest Ordinance of 1787. This law established procedures for the creation of new states in the Northwest Territory, a region bounded by the Ohio and Mississippi rivers. The Northwest Ordinance served as a model for all territories that later entered the Union as states.

For the most part, however, the government created by the Articles of Confederation was a failure. Lacking the power to levy taxes, Congress could not raise the funds needed to support the Continental Army. It had to borrow heavily to fund the revolution. After the war, it had no way to raise funds to repay those debts.

Equally troubling, Congress lacked the power to control trade among the states. After the war, states began setting up trade barriers and quarreling among themselves. Matters came to a head when farmers, led by Daniel Shays, attacked a federal arsenal in Springfield, Massachusetts. Although Shays' Rebellion was finally put down by state troops, it revealed how little Congress could do to hold together the increasingly unstable country.

By 1786, it was clear to many of the nation's leaders that the government formed under the Articles was not working. That fall, representatives from various states met at Annapolis, Maryland, to discuss trade issues. While there, they issued a call for a constitutional convention to meet the following year in Philadelphia.

In theory, the purpose of the convention was to revise the Articles of Confederation. Once the delegates met, however, they decided to scrap the Articles and create an entirely new constitution. The table below lists some of the weaknesses of the Articles and explains how they were eventually fixed under the new plan of government.

Mending the Articles of Confederation ▼

Weaknesses of the Articles of Confederation	Weaknesses Fixed Under the Constitution
Congress could not levy or collect taxes, leaving the government starved for funds.	Congress has the power to levy taxes to support the government.
Congress could not regulate trade among the states or with other countries.	Congress has the power to regulate interstate trade and trade with foreign countries.
Congress had only one house, and each state had only one vote in Congress, regardless of population.	Congress has two houses, and representation in the House of Representatives is based on population.
Nine out of 13 states in Congress had to agree to pass a major law.	Laws are passed by a simple majority of members of Congress.
All 13 states had to agree to amend the Articles.	Amendments can be ratified by three-fourths of the states.
The government lacked an executive branch to enforce laws and a court system to settle legal disputes.	The government has a legislative branch, an executive branch, and a judicial branch.
Congress could not create a uniform currency. Money was issued by states.	Congress has the sole power to issue money.
The states could and did ignore laws passed by Congress.	The Constitution and laws passed by Congress are the "supreme Law of the Land."
The states were loosely joined in a "league of friendship."	The states are bound together in a permanent union.

Convening the Constitutional Convention On May 25, 1787, the Constitutional Convention began. Delegates from all the states except Rhode Island came together at the Pennsylvania State House in Philadelphia, later known as Independence Hall. They met in the same room where the Declaration of Independence had been signed 11 years before.

The 55 delegates were prominent in American political life. All of these delegates were white men. Among them were former soldiers, governors, members of Congress, and men who had drafted state constitutions. Their average age was 42.

The delegates represented a wide range of personalities and experience. At 81, Benjamin Franklin was the senior member. The wisdom and wit of this writer, inventor, and diplomat enlivened the proceedings. George Washington lent dignity to the gathering, while his former military aide Alexander Hamilton brought intellectual brilliance. Other delegates, like Roger Sherman of Connecticut, contributed legal and business experience. James Madison of Virginia was perhaps the most profound political thinker and the best prepared of all the delegates.

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However, several key figures were not at the convention. Both Thomas Jefferson and John Adams were in Europe, serving as U.S. diplomats. Upon reading over the delegates' names, Jefferson described the convention as "an assembly of demigods."

Other leaders, like Samuel Adams of Massachusetts and Patrick Henry of Virginia, were suspicious of efforts to strengthen the central government. They, too, did not attend.

During the convention, no one played a greater role than Madison. Although he was just 36 years old, he had already served in Congress and the Virginia legislature. He was a serious student of politics and democratic theory. As the meetings got underway, he took detailed notes of the discussions and worked tirelessly to promote the new plan. For his role in shaping the new framework, he is rightly called the Father of the Constitution.



The Constitutional Convention took place in this room in Independence Hall. The delegates shut the doors and windows to keep their meeting private.



This 1856 painting by Junius Brutus Stearns depicts the ongoings of the Constitutional Convention. As shown in the painting, George Washington presided during the meeting.

Reaching a Compromise on Representation The first thing the delegates did was to elect George Washington as the convention's presiding officer. They also adopted rules of procedure, including a vow of secrecy. Although it was stiflingly hot and humid in Philadelphia that summer, they shut the doors and windows of their meeting room to keep the proceedings private. They knew that the public was intensely curious about their discussions, and they did not want public pressure to affect their decisions.

Next, the Virginia delegates, who favored a strong national government, put forth a plan for a new constitution. The Virginia Plan, written mainly by James Madison, was clearly designed to replace the Articles, not to revise them. It called for a government of three branches. The legislative branch would make the laws, the executive branch would carry out the laws, and the judicial branch would interpret the laws.

Under the Virginia Plan, the new government would have a **bicameral**, or two-house, legislature. The Virginia Plan proposed that representation in both houses should be based on the population of each state. This would give the more populous states more representatives, and thus more influence, than states with smaller populations.

For about two weeks, the delegates discussed the details of the Virginia Plan. Some thought it gave too much power to the national government. Some opposed a bicameral legislature. Moreover, the

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smaller states did not like their representation in Congress being tied to population.

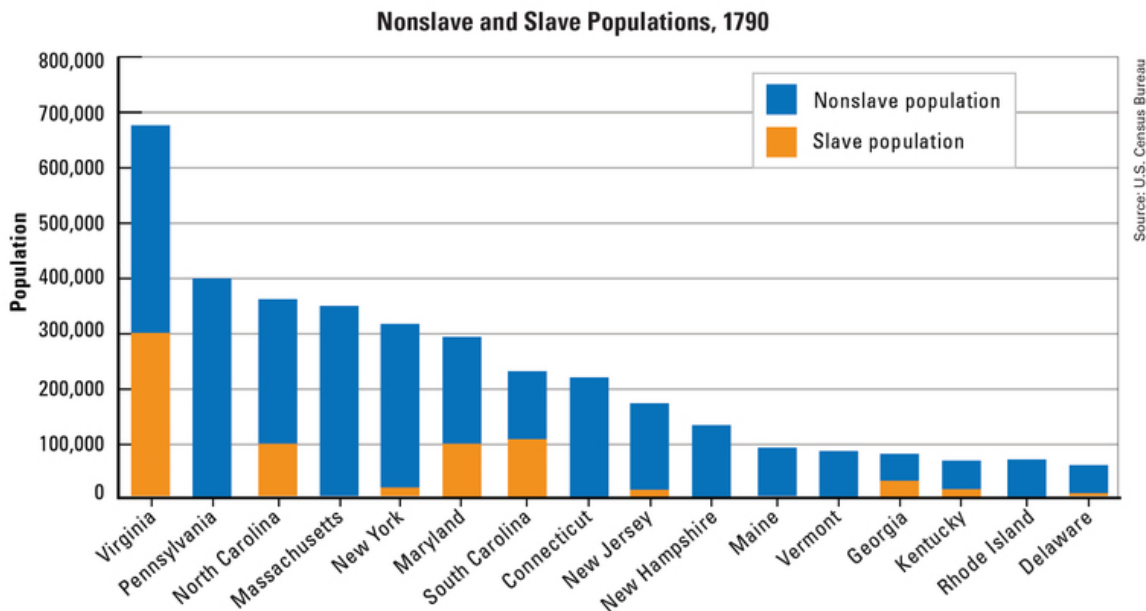
On June 13, William Patterson of New Jersey introduced an alternative approach. The New Jersey Plan proposed a series of amendments to the Articles of Confederation. These changes would have created a somewhat more powerful national government with a **unicameral**, or one-house, legislature in which all states had equal representation.

Delegates from the smaller states welcomed the New Jersey Plan. But after several days of debate, the convention voted to reject this proposal and return to discussion of the Virginia Plan.

For the next month, the delegates debated the Virginia Plan point by point. They continued to argue about the critical issue of representation in Congress. The debate grew so heated at times that some delegates threatened to walk out.

Finally, Roger Sherman of Connecticut proposed a compromise designed to satisfy both sides. His plan called for a bicameral legislature with a different form of representation in each house. In the Senate, states would have equal representation. In the House of Representatives, states would have representation based on their populations. Sherman's plan, known as the Great Compromise, resolved the thorny issue of representation in Congress and allowed the convention to move forward.

Large and Small, Slave and Free ▾



Compromises on Slavery and Commerce Other issues also divided the delegates. Those from northern states differed sharply with those from southern states on questions of slavery and commerce. Many northern delegates wanted the constitution to include a provision for abolishing slavery. However, most southerners opposed ending a system of labor on which their agricultural economy depended.

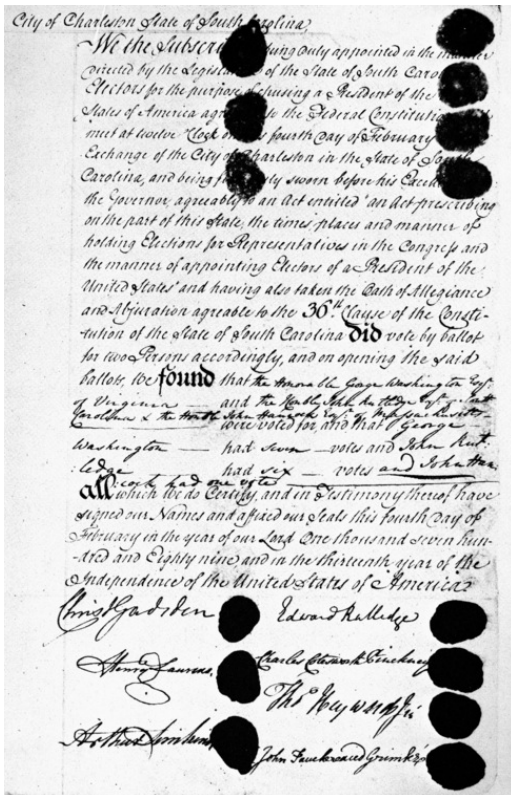
These differences over slavery spilled into debates on representation and taxes. Since most slaves lived in the South, delegates from the South wanted slaves to be counted when determining representation in the House of Representatives. Yet, they did not want slaves counted when determining each state's share of taxes to support the national government. The graph above shows which states had large slave populations at that time.

In contrast, delegates from the North wanted slaves to be counted for taxation, but not when determining representation. After much debate, the delegates reached another important compromise. For purposes of both representation and taxation, a slave was to be counted as three-fifths of all "free persons."

The Three-Fifths Compromise helped hold the new nation together. However, by treating a slave as less than a free person, this provision contradicted the basic ideal of equality set forth in the Declaration of Independence. This contradiction between democratic ideals and the cruel inequality of slavery would haunt the nation for decades to come and would eventually result in the Civil War.

Delegates from the North and South also argued over commerce. Northerners favored giving Congress broad powers to control trade. Southerners worried that Congress might outlaw the slave trade and place heavy taxes on southern exports of crops, such as cotton and tobacco. Again the delegates reached a compromise. Congress would have the power to regulate foreign and interstate commerce, but it could not tax exports, and it could not outlaw the slave trade until 1808.

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This report shares the results of the South Carolina electors in the first United States presidential elections. The Electoral College system is still in place today.

Creating the Executive Branch: One Head or Many? Another major issue concerned the formation of the executive branch. Some delegates wanted a single executive to head the government. Others were concerned that giving power to a single leader might give rise to a monarchy or tyranny. Instead, they favored an executive committee made up of at least two members. In the end, however, the delegates voted for a single president who would be assisted by a vice president. They also decided that the president would serve for four years before the next election.

The next question was how to choose the president. Some delegates thought Congress should do it, while others favored popular elections. Less than two weeks before the end of the convention, they finally decided to set up a special body called the **Electoral College**. This body would be made up of electors from each state who would cast

votes to elect the president and vice president. Each state would have as many electors as the number of senators and representatives it sent to Congress. Adding the two senators to the number of electors from each state boosted the influence of small states and of those with large slave populations.

On September 17, 1787, after months of hard work, the Constitution was signed by 39 of the 42 delegates present. The document they signed that day began with these ringing words:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

—Preamble to the Constitution, 1787

Now it was up to the states to decide whether this plan of government would indeed establish “a more perfect Union.”

4. Ratifying the Constitution

The Constitution included a provision for ratification. To go into effect, the new plan of government would need to be ratified by at least 9 of the 13 states. Ratification was to take place at state conventions made up of delegates elected for this purpose. Success was by no means assured.

The pro-ratification effort was led by supporters of the Constitution who called themselves **Federalists**. They favored the creation of a strong federal government that shared power with the states. Their opponents were known as **Anti-Federalists**. These were people who preferred the loose association of states established under the Articles of Confederation. The battle between these two groups was played out in the press, in state legislatures, and at the state ratifying conventions.

Anti-Federalists Speak Out Against the Constitution Anti-Federalists opposed the Constitution for various reasons. Some worried about the increased powers of taxation granted to the national government. Others were concerned that the government would create a large standing army or that a federal court system would overrule state courts.

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Anti-Federalists, however, had two chief complaints about the proposed Constitution. Virginia delegate George Mason noted that the first of these complaints was that “There is no Declaration of Rights,” or a bill of rights. The second complaint was that the Constitution would make the national government too powerful. Mason worried that “the laws of the general government” would be “paramount to the laws and constitutions of the several states.”

The Anti-Federalists feared that a strong national government would lead to tyranny. They believed that the states, being smaller, were better able to represent the people’s rights and preserve democracy. For that reason, they argued that the states, not the national government, should hold most of the power.

The Anti-Federalist camp initially included some of the leading figures of the American Revolution, including Samuel Adams, Patrick Henry, and John Hancock. In their minds, the Constitution represented a betrayal of the democratic ideals that had motivated the American Revolution.



Only 39 of the original 55 delegates signed the Constitution on September 17, 1787. Thirteen delegates had returned home before the conclusion of the convention, and three others refused to sign.

Federalists Defend the Constitution In the face of such criticism, the Federalists mounted a spirited defense of the Constitution. Three men led this campaign: Alexander Hamilton, James Madison, and John Jay. Hamilton and Madison had helped frame the Constitution. Jay was a prominent New York lawyer, diplomat, and political leader who had

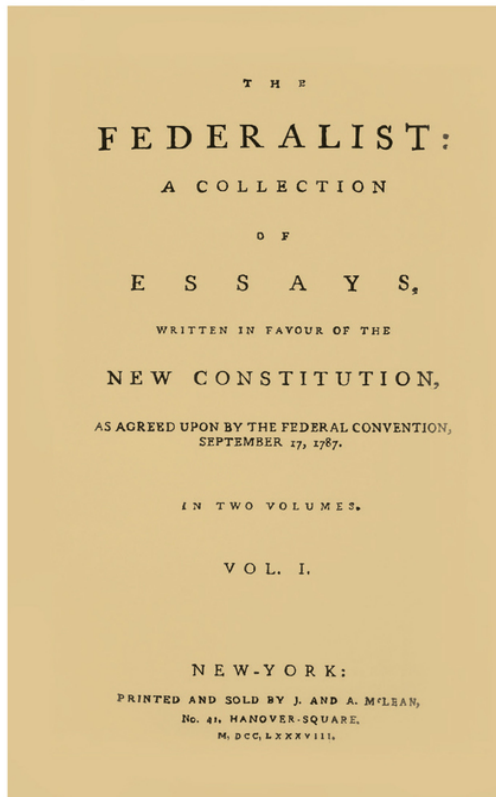
played a key role in the revolution.

Together, these men wrote a series of 85 essays known as *The Federalist Papers*. These essays were published over the course of several months and made a strong case for the new plan of government. Some historians have called the publication of these papers one of the most powerful public relations campaigns in history.

The Federalist Papers authors explained the key features of the Constitution and tried to undercut the claims of their opponents. In *The Federalist No. 10*, for example, Madison addressed the Anti-Federalists' charge that it would be impossible to make representative government work over a large territory like the United States. Madison countered that the size of the United States was actually an advantage in establishing a representative government. Because such a government would represent so many people, it would be less likely to fall under the sway of factions, or groups that want power for selfish ends. The governments of small nations, he argued, were more prone to being taken over by factions, because factions find it easier to win over a smaller population than a larger one. As Madison wrote,

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The Granger Collection, New York



The Federalist Papers, first published in 1787, made a strong case for ratification of the Constitution. These essays, written by John Jay (bottom), James Madison (top), and Alexander Hamilton (middle), provide valuable insight into the political thinking behind the Constitution.

The fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, . . . the more easily will they . . . execute their plans of oppression. Extend the sphere [to a larger government], and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens.

—James Madison, *The Federalist* No. 10, 1787

In *The Federalist* No. 51, Madison addressed the concern that a strong national government would lead to tyranny. He explained how the

checks and balances built into the Constitution were designed to keep this from happening. "If men were angels," he wrote, "no government would be necessary. If angels were to govern, neither external nor internal controls on government would be necessary." In a government of men, he argued, "ambition must be made to counteract ambition."

It is impossible to know how many minds were changed by these essays. But over more than two centuries, they have proved to be invaluable insights to the thinking and intentions of the Constitution's framers.

The Constitution Goes into Effect By January 1788, Delaware, Pennsylvania, and New Jersey had ratified the Constitution. Georgia and Connecticut soon followed. In Massachusetts, however, the ratifying convention deadlocked over a key issue: the lack of a bill of rights. After much debate, the Massachusetts delegates agreed to ratify after receiving assurance that such a list of rights would be added after ratification.

A number of other states ratified with the same understanding. By the summer of 1788, all but two states had ratified. The Constitution was now in effect. North Carolina would join the new union in 1789, and Rhode Island in 1790.

Meanwhile, Congress prepared to make way for the new government. Elections were held for the Senate and House of Representatives. A date was set in February 1789 for the first presidential election.

The winner of that election, by unanimous vote in the Electoral College, was George Washington. The former general had previously retired to his home, Mount Vernon, in Virginia. But he answered the call to duty and made his way to New York City, the seat of the first federal government. There, in Federal Hall on April 30, 1789, Washington placed his hand on a Bible, and like every president since that day, repeated this solemn oath:

I do solemnly swear [or affirm] that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.

5. Adding the Bill of Rights

In his inaugural speech, President Washington urged Congress to move quickly to draft a bill of rights for the Constitution. The amendments, he

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said, should show “a reverence for the characteristic rights of freemen and a regard for public harmony.” In urging Congress to take on this task, Washington was acting on promises made during the ratification process. He knew that without the pledge of a bill of rights, the Constitution would not have been ratified.



On April 30, 1789, George Washington was inaugurated as the nation’s first president in New York City. In his inaugural speech, he spoke of “the republican model of government” as an “experiment entrusted to the hands of the American people.”

Proposing a List of Rights No one was more aware of this pledge than James Madison. He had made just such a promise while lobbying for ratification in his home state of Virginia. As a new member of the House of Representatives, Madison immediately set out to draft a bill of rights.

Like most Federalists, Madison had initially opposed a bill of rights, arguing that the democratic principles embedded in the Constitution made such protections unnecessary. Even if one branch of the new national government tried to curtail the individual rights of citizens, he argued, the other branches would act to prevent such abuses.

Thomas Jefferson persuaded Madison to change his mind. In a letter to Madison, Jefferson wrote, “a bill of rights is what the people are entitled to against every government on earth . . . and what no just government should refuse.” Another reason for adding a bill of rights to the Constitution, he observed in a later letter to Madison, was “the legal check which it puts into the hands of the judiciary.”

In 1789, Madison introduced to Congress a series of proposed amendments. His list of rights drew from the many different proposals made at the state ratifying conventions. Madison also pulled ideas from other documents, including the Virginia Declaration of Rights, adopted in 1776. Another was the Virginia Statute for Religious Freedom, written by Thomas Jefferson in 1779. The English Bill of Rights was a key influence as well.

Madison also drew from the writings of William Blackstone, a prominent English lawyer and judge. In his famous work, *Commentaries on the Laws of England*, Blackstone wrote extensively about “personal liberty” and the “rights of persons.” Among those rights, Blackstone argued, was “liberty of the press,” which he saw as “essential to the nature of a free state.”

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The Bill of Rights is on display at the National Archives in Washington, D.C. This exhibit also houses the Declaration of Independence and the Constitution. These three important documents that established the foundation for the U.S. government are collectively known as the Charters of Freedom.

Having introduced his bill of rights, Madison faced an uphill battle getting the amendments approved by Congress. Some legislators wanted to postpone them in favor of more pressing matters. Others wanted to wait until flaws in the new government became more apparent. But Madison insisted on quick action, saying that the public might otherwise think “we are not sincere in our desire to . . . secure those rights.”

Once Congress finally agreed to debate Madison’s proposed amendments, lawmakers were merciless in their criticisms. After months of debate, Madison wrote to a friend that getting a bill of rights through Congress had become “a nauseous project.” In the end, however, Congress approved 12 amendments and passed them on to the states for ratification.

Ratifying the Bill of Rights Most states quickly ratified the Bill of Rights. By the summer of 1790, nine states had approved at least ten of the amendments. Shortly afterward, Vermont became the 14th state in the Union, which raised the number of states necessary for ratification to 11. On December 15, 1791, Virginia became the 11th

state to ratify the Bill of Rights.

Two of the proposed amendments, however, failed to win ratification in 1791. The first, dealing with the number of members of the House of Representatives, was never adopted. The other, limiting the ability of Congress to increase the salaries of its members, was finally ratified two centuries later as the Twenty-seventh Amendment.

Three of the original 13 states—Georgia, Massachusetts, and Connecticut— failed to ratify in 1791. All three finally voted for ratification in 1939, on the 150th anniversary of the Bill of Rights. By then, the Bill of Rights had become an integral part of the framework of American government.

Summary

The United States was founded on a set of ideas and principles developed over many centuries. Those ideas helped give rise to a system of representative government based on the rule of law and a respect for individual rights and liberties.

Ideas on government American colonists drew their ideas about government from various sources, including classical civilizations, English law, and Enlightenment philosophy. They combined those ideas with their own experiences in colonial self-government.

Declaring independence Accustomed to self-rule, colonists were quick to react when Great Britain tried to impose taxes on the colonies. In 1776, the colonies declared themselves to be “Free and Independent States.”

Framing constitutions While fighting for independence, Americans wrote state constitutions and a national plan of government called the Articles of Confederation. Weaknesses in the Articles led to the framing of a new constitution that gave more power to the national government.

Ratifying the Constitution By 1788, enough states had ratified the Constitution to make it the law of the land. A new government, with George Washington as president, was installed in 1789.

Adding the Bill of Rights To satisfy critics of the Constitution, James Madison drafted a series of amendments to protect individual rights. The Bill of Rights was ratified by the states in 1791 and became the

first ten amendments to the Constitution.

New Democracies Around the World

Democracy is a system of government in which citizens have supreme power, whether directly or through elected representatives. In order for a government to be considered democratic, it must meet certain criteria, including the following:

- free and fair elections, universal suffrage, and a secret ballot
- the freedom to form political parties
- rule of law
- separation of powers
- civilian control of the military
- equality before the law
- the right to participate in political, economic, and cultural life
- human rights, such as freedom of speech, press, and assembly

Newly formed democracies, such as those of Kenya, Venezuela, and South Korea, face enormous challenges as they try to develop and maintain their democratic institutions and societies.

Kenya

Kenya, located on the east coast of Africa, is a developing nation with a poor economy. In recent years, periodic drought has caused food shortages. About 40 different ethnic groups make their home in Kenya. Initially, Kenya's leaders tried to prevent ethnic tensions by distributing government offices among the various ethnic groups. Ethnic favoritism soon won out, however, and the patronage system evolved into widespread corruption. It eventually threatened the population's faith in the government and fueled ethnic tensions. Recent political developments have sparked violence within a population already stressed by poverty.

Background In 1963 Kenya broke away from British colonial rule. Prominent independence leader Jomo Kenyatta became Kenya's first president. Over the years Kenyatta increased both his own power and

that of the national government. His party, the Kenyan African National Union (KANU), maintained a dominant position by outlawing its major rival, although Kenyans did enjoy some basic constitutional rights, such as those of speech, assembly, and worship.

After Kenyatta's death in 1978, vice president Daniel arap Moi became president. Moi's presidency was marked by increased corruption, mismanagement, and decreased civil liberties. Moi imprisoned dissidents and banned critics from political office. KANU became the nation's only legal political party. Moi also introduced a "queuing system" of voting, whereby voters lined up behind photos of their chosen candidates. The queuing system effectively eliminated the secret ballot.

In 1991 pressure from the West, Kenya's source of financial aid, forced Moi to restore multiparty elections. Because opposition was split among many different parties, Moi easily won reelection in both 1992 and 1997. In 2002, the opposition united to form the National Rainbow Coalition (NARC). NARC's leader, Mwai Kibaki, a former finance minister and vice president, defeated the KANU candidate by a wide margin.

Kibaki failed to reign in corruption, however. His proposed constitutional reforms did not go far enough to lessen the scope of presidential power or to restore the bicameral legislature. The voters rejected it.

Recent Developments A new opposition coalition emerged, the Orange Democratic Movement (ODM), headed by Raila Odinga. Odinga faced off with Kibaki in the 2007 election. After a close vote gave the election to Kibaki, Odinga immediately disputed the outcome. International observers agreed that voting fraud likely affected the results of the election.

Kenya was thrown into political and social crisis. Violence erupted along ethnic lines. Around 1,500 people were killed and as many as 600,000 were displaced from their homes. Former United Nations head Kofi Annan mediated between the ODM and Kibaki's new Party for National Unity (PNU). In February 2008 the two sides agreed to a power-sharing deal, with Kibaki serving as president and Odinga serving in the newly created position of prime minister.

Kenya held its first general elections since the 2007 political violence in 2013. The government still hopes to archive reconciliation between the parties and among the various ethnic groups, though political and ethnic violence still proves problematic. The road to reconciliation is a rocky one. It remains to be seen whether Kenyans can achieve the

harmony necessary to shore up their democracy.

South Korea

World War II left Korea divided into two parts, North and South Korea. Between 1950 and 1953 the Korean War, in which the two countries battled for dominance, devastated both north and south and cost more than 2.5 million lives. In the end, the two Koreas did not unify, and the border between them was unchanged. North Korea grew into an impoverished communist dictatorship. South Korea eventually emerged as a democratic state with a strong economy.

Background By popular vote Syngman Rhee was elected president of South Korea's first government in 1948. The constitution called for a two-term maximum for the presidency, but Rhee finagled an extension for himself and was reelected in 1952, 1956, and 1960. Amid general unrest and student demonstrations following his election to a fourth term, Rhee was forced to resign.

The government adopted a parliamentary system, but it was short-lived. A military coup in 1961 placed the country under martial law. For nearly three decades military rule was the norm in South Korea. Governmental powers expanded while democratic institutions and civil rights eroded. But through the years, a strong student movement kept pressure on the successive governments.

In 1980 General Chun Doo Hwan imposed strict martial law. Chun closed the universities and colleges, centers of the pro-democracy movement. A student protest in the city of Kwangju escalated into an armed uprising. Although official reports say that 200 people were killed, other sources estimate the total as being near 2,000.

Later that same year Chun Doo Hwan became president. Chun oversaw the drafting of a new constitution that limited the president to a single seven-year term and allowed for multiparty elections. Yet public discontent remained, especially amid a series of corruption scandals.

Students continued to press for a full return to democracy. In 1987 constitutional reforms restored democratic institutions and civil rights. The new constitution allowed for direct election of the president, who serves a single five-year term. Reform leader Roh Tae Wu was elected president in the nation's first peaceful transfer of power.

Further democratization saw a return to civilian control of the military, the reinstatement of local governments, and the launching of

anticorruption initiatives. In 1993 South Korea achieved another milestone when the presidency was peacefully transferred to a member of an opposing party.

Success Story During the period of military rule, South Koreans enjoyed a huge increase in their standard of living. The military governments promoted big business, transforming what was once one of the world's poorest nations into a major producer of automobiles, semiconductors, and consumer electronics.

Some flaws do remain in the South Korean economy, and some sectors, such as public health, could be improved. Women, who are equal to men in the eyes of the law, nonetheless face social discrimination. Ethnic minorities face both legal and social discrimination. In general, however, South Koreans enjoy not only a decent standard of living, but also the benefits of an electoral democracy, including these:

- free and fair elections
- a directly elected president
- a unicameral legislature
- multiparty elections
- a free press
- freedom of religion
- academic freedom
- freedom of association
- independent labor unions

Venezuela

Venezuela emerged from Spanish colonial domination in 1821. In 1829 it separated from Gran Colombia, which also included present-day Colombia, Panama, and Ecuador. A long period of social unrest, characterized by a series of military dictators, followed independence. Venezuela's last dictator was ousted in 1958. Since then, Venezuela has been one of the most stable democracies in South America. Recent developments have begun to tarnish that reputation, however.

Background As was the case in many Latin American nations, a great gulf existed between a small wealthy elite and the poor majority. The discovery of vast oil reserves in the 1920s made Venezuela the richest nation in South America. This newfound wealth did not find its way into the pockets of the nation's poor, however. Most went to a wealthy few and into the pockets of corrupt officials. Not even the oil boom of the 1970s closed the gap between the nation's rich and poor.

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The government nationalized the oil industry in 1975, tying government income to world oil prices. The government's economic mismanagement and worldwide economic recessions in the late 1970s and 1980s hurt Venezuela's economy. The government reacted by reducing its spending on social programs. In response, people rioted in the nation's capital, Caracas, and surrounding areas in 1989. The government quelled the unrest with force, and hundreds, perhaps even thousands, were killed.

Then, in 1992, paratrooper commander Hugo Chávez led an unsuccessful coup attempt against President Carlos Andrés Pérez. Although Chávez was arrested and tried, he was pardoned before conclusion of his trial. Pérez was removed from office in 1993, impeached on corruption charges.

Venezuela had not seen the last of Chávez. He ran for president in 1998 as a self-proclaimed champion of the poor. At the time, the poor made up 80 percent of the population. Chávez's promises to help the poor and reduce the privileges of the elite appealed to a public increasingly frustrated by economic inequality, economic mismanagement, and government corruption. With this populist message, he was elected president.

Chávez began to implement a plan for his so-called 21st-century socialism. He started by overseeing a new constitution that broadened his powers, which the public approved by referendum.

As part of his overhaul of Venezuelan society, Chávez nationalized key industries, instituted land reform, and established price controls. Government-sponsored programs known as *misiones* brought free education, soup kitchens, and health clinics to the nation's poor. Despite the popularity of the *misiones*, critics have argued that Chávez's policies have done little to alleviate poverty.

Recent Developments The *misiones* made Chávez popular with the poor, but many of his policies alienated other segments of society. Opponents were able to force a national referendum in 2004, which Chávez won with 59 percent approval. With some misgivings, international observers deemed the vote to be fair. In 2006 Chávez won reelection with a 63 percent majority. Again international observers did not find evidence of fraud. However, they frowned on what they considered misuse of government resources in the campaign, voter intimidation, and manipulation of the voter registry.

Chávez enjoyed wide support in the National Assembly, Venezuela's

legislative body, especially after the opposition boycotted the 2005 legislative elections. In 2000 and again in early 2007, the National Assembly granted Chávez periods of rule by decree. Rule by decree allowed Chávez to declare certain laws, a power many critics saw as a move toward authoritarianism. Indeed, Chávez overestimated the public's tolerance for his undemocratic reforms. Buoyed by his success in 2006, he tried to advance his so-called revolution. In late 2007 he submitted a national referendum to introduce socialist reforms into the constitution. These reforms further extended the power of the national government and further nationalized the economy, but it was his plan to remove presidential term limits that most concerned the populace. Many saw this provision as an attempt to pave the way for a Chávez dictatorship. Much to Chávez's surprise, his referendum was defeated. Many of his former supporters did not turn out to vote, and he lost some key support within the National Assembly.

In 2009, another referendum took place to vote on a more moderate package of constitutional changes. It was approved, strengthening the government's resolve to aggressively suppress opposition.

Chávez's presidency lasted from 1999 until his death in 2013, after which Nicolás Maduro, the vice president, became the acting president. Under Maduro's rule-by-decree presidency, there have been various disputes and accusations of human rights violations, as well as accusations of authoritarian leadership. Furthermore, in 2016, there were attempts to remove Maduro from office through a petition to the National Electoral Council. Maduro was re-elected president in Venezuela's most recent election, and remains in office. How democracy in Venezuela will fare under the current and future administrations remains to be seen.

Revolutions in Latin America

Latin American nations began achieving independence from colonial powers during the 1800s. The new nations maintained strict social hierarchies, characterized by a huge gap in wealth between a tiny group of elites and the largely impoverished masses. To cope with social unrest, the new governments quickly became more centralized. Political leaders began ignoring the very constitutions they helped create and relied increasingly on the use of force.

As various factions of elites struggled for power, two distinct ideologies came to the fore: liberal and conservative. Liberals generally sought free trade, modernization, separation of church and state, and

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individual rights. Conservatives, on the other hand, believed in authoritarianism, tradition, close ties between the government and the Roman Catholic Church, and corporate groups. Both parties often exercised power through dictatorial means. By the 20th century, leftist groups began to enter the fray.

Mexico

In 1821 Mexico achieved independence from Spain. Liberals and conservatives, however, disagreed on what form the new government should take. Liberals wanted a republic. Conservatives, who were the majority, favored a monarchy. After a brief attempt at a monarchy, Mexico's leaders established a federal republic. Yet ideological differences between the two groups remained, making the new government unstable.

The Porfiriato Political stability was achieved under the dictatorship of General Porfirio Díaz, who served as president from 1877 to 1880 and from 1884 to 1911. The Porfiriato, as the Díaz dictatorship was known, modernized Mexico's economy by promoting export crops, mining, manufacturing, railways, and telegraph lines. Modernizing the economy came at an enormous social cost, however. The government took private and communal village land and placed it in the hands of land companies. Workers were paid low wages, and many lost their jobs to industrialization. As a new urban middle class grew wealthier, the rural poor grew poorer.

Life under the Porfiriato was characterized by repression. Díaz maintained order at the expense of civil liberties and used the military to suppress political opponents. Liberal opposition to Díaz began to organize around the turn of the century.

Revolution of 1910 In 1910 the Liberal Party nominated wealthy landowner Francisco I. Madero to run against Díaz in the upcoming election. Madero laid out the goals of a revolution in 1908 when he published *La sucesión presidencial en 1910* (*The Presidential Succession in 1910*). In this book he outlined the negative effects of Mexico's history of militarism and dictatorship, rousing an apathetic public, and he called for a return to constitutional principle, including honest elections, mass participation in the political process, and a one-term limit for the office of president.

Díaz imprisoned Madero and claimed the election for himself. Madero's imprisonment and subsequent escape inspired local rebellions. Rebel leaders such as Pancho Villa and Emiliano Zapata rose up to help topple

the Porfiriato. Although periods of unrest continued until mid-century, a new constitution adopted in 1917 institutionalized the goals of the revolution. The 1917 constitution is still in effect today.

The Institutional Revolutionary Party (PRI) emerged from the revolution. Although the PRI dominated Mexican politics until the parliamentary elections of 1997, most of the revolutionary reforms were instituted by 1940. Despite land reform and the nationalization of the petroleum industry, Mexico continues to have a great disparity between the wealthy few and the majority poor. The indigenous population struggles for equal rights. Drug trafficking, violent crime, and especially violence against women plague Mexican society.

Colombia

Gran Colombia, which consisted of Colombia, Venezuela, Panama, and Ecuador, gained independence from Spain in 1819. By the late 1840s, Colombia was losing some of the feudal characteristics left over from the colonial era. Government monopolies on major export crops were privatized. A middle class of merchants, manufacturers, artisans, and small landowners began to develop. Coffee became the major export crop and, though subject to the ups and downs of the international marketplace, helped to develop the nation's economy.

Ongoing Power Struggle The political chaos that Colombia, like Mexico, faced upon independence did not subside, however. By the middle of the 1800s, the Liberals and the Conservatives emerged as two distinct political parties. Their establishment fueled, not resolved, political instability and civil unrest. Constitutions were written and abolished in alarming succession as the two parties vied for dominance.

A new constitution enacted by a Liberal government in 1853 achieved the liberal goals of separation of church and state and direct election of the president. By 1857 Conservatives were again in control, putting forth a new, conservative constitution in 1858. A civil war destabilized the Conservative government in 1860. By 1863 a Liberal government was again in place. The new government enacted a federal constitution that once more provided for separation of church and state and other liberal reforms. The Liberal-Conservative tug-of-war continued. For two decades Colombia experienced uninterrupted civil unrest.

Desperate to restore order to the nation, some members of the Liberal and Conservative parties formed the National Party. In 1886, the Nationalists wrote what was to be the longest-lasting constitution in the nation's history. With this new constitution, the National Party hoped to

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strike a balance between individual liberty and national order. The 1886 constitution strengthened the role of the central government and launched a conservative era.

The War of 1,000 Days The new constitution failed to end the violence, however. When world coffee prices fell in 1899, conflicts between Liberals and Conservatives peaked. Liberals in the coffee-growing regions rebelled against the Conservative government. The War of 1,000 Days ended in 1902 when rebels accepted a peace agreement with the government, whose too-small army proved unable to crush the rebellion. The war left the country and the economy in ruins. As many as 130,000 people were dead. In the wake of the war, Panama seceded.

After the war, the coffee trade expanded and breathed new life into the economy. Conservatives were able to remain in power until 1930, when worldwide economic depression brought down the price of coffee and other exports.

Colombia Today Rebellion continues to plague Colombia. The problem is no longer conflict between liberal and conservative concerns, however, but terror spread by competing rebel groups that began attacking the government in the 1960s. These groups became heavily involved with the illegal drug trade, which funds their armies. Today the rebel groups, paramilitary groups, and drug cartels run roughshod over the nation. Colombia's homicide rate is seven times the global average, and violence is one of the leading causes of death in Colombia.

The conflict has spilled over into neighboring countries, straining Colombia's relations with its neighbors. President Juan Manuel Santos has focused his attention on seeking peace negotiations with the rebels and paramilitary groups.

Guatemala

A similar struggle between liberals and conservatives played out in Guatemala. Guatemala achieved independence from Spain in 1821 and from Mexico in 1823. It became the political center of the United Provinces of Central America, but this union failed in the face of competing liberal and conservative interests. It was effectively dissolved by 1838.

Conservative Nationalism The union's demise was hastened by the efforts of conservative general Rafael Carrera. Carrera, with the backing of Native Americans, conservative landowners, and the clergy, toppled

Guatemala's liberal government. Installing himself as dictator-president in 1854, Carrera set about placing Guatemala back into the hands of the aristocracy and the Roman Catholic Church. A strong nationalist, he formally declared Guatemala to be an independent sovereign nation in 1847. His reign lasted until his death in 1865.

Rise of the Liberals Carrera's conservative successor was overthrown by a liberal revolution in 1871. In 1873 revolutionary leader Justo Rufino Barrios became the first of a series of liberal dictator-presidents that ruled Guatemala until 1944. Largely undoing Carrera's legacy, Barrios instituted a series of liberal reforms. He curbed the power of the aristocracy and the church and established a free secular public education system. He also oversaw economic reforms, including the development of roads, railways, and telegraph lines, and the cultivation of coffee as an export product. Barrios was killed in a failed invasion of El Salvador in 1885, which he was trying to force to join the union.

Popular Revolt Liberal dominance continued until dictator Jorge Ubico was popularly overthrown in 1944. That same year saw the establishment of Guatemala's first democratic constitution. Within a decade, however, friction between growing communist influence and U.S. economic interests sparked unrest. Thirty-six years of ensuing guerrilla warfare came to an end with formal accords signed 1996.

Aftermath A United Nations–sponsored commission determined that army and paramilitary forces carried out most of the atrocities committed during the civil war. Reconciliation among factions has been slow. Stability, however, has been maintained. Today Guatemala is a constitutional democratic republic and has held regular elections since the 1996 peace accords. Poverty and crime, though, have proved difficult to eradicate after 36 years of civil war.

Bolivia

The indigenous populations throughout the colonies of Latin America were often forced to work on large estates or to labor in mines. This practice continued after Bolivia's independence from Spain in 1825. Governments often took communal lands from Native Americans, who were then often bound to work it for the new landowners. The legacy of this treatment has been profound and enduring.

Mining Brings Prosperity, Unrest A series of military strongmen, or *caudillos*, ruled Bolivia for many years following independence. Liberal and Conservative parties, made up of elites, began to form around 1880. Conservatives held power for about two decades, when Liberals

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cooperated with them to promote economic development.

Conservatives and Liberals in Bolivia differed in more than ideology, however. Economic interests also contributed to the rivalry. Economic success during this era was largely tied to mining. Conservative interests were tied to silver mining. Liberals, meanwhile, enjoyed the backing of tin-mining entrepreneurs.

The Liberal Party seized the government in 1899. Liberals were joined in the fighting by indigenous Bolivian peasants, who were losing more and more communal lands in the silver boom. Social tensions mounted, however, as Liberals did nothing to stop the expropriation of Native American land. More and more poor Native American peasants worked the mines. Strikes became increasingly common.

The Bolivian National Revolution In the 1930s, worldwide economic depression adversely affected the mining industry. At the same time, Bolivia lost nearly half of its territory in a series of border wars. Following the last of these, the Chaco War, discontented young army officers overthrew the civilian government. They tried but failed to introduce social reform. Civilian dissident groups with both fascist and Marxist ideology began to organize. Among these was the Nationalist Revolutionary Movement (MNR).

The MNR mobilized Bolivia's peasant population and overthrew the military regime in 1952. The Bolivian National Revolution, a period of sweeping reforms, was the most influential in all of Latin America. The MNR nationalized the three largest tin-mining companies. It granted Native Americans land, abolished forced labor, and gave Native Americans the vote. Native American militia groups were given arms, making them a powerful voice in Bolivian government. The revolution ended in 1964 as more conservative elements in the government paved the way for a military coup.

Contemporary Bolivia After a series of unpopular and unstable military governments, civilian government was reinstated in 1982. Since then Bolivia has maintained peaceful transfers of power. It continued to nationalize major industries, and in 2005 elected its first Native American president, Juan Evo Morales Ayma. Today Bolivia is one of the region's most politically stable nations.

Nicaragua

Nicaragua first achieved independence from Spain as part of the United Provinces of Central America. It seceded in 1838. Like elsewhere in

Latin America, liberal and conservative party forces remained, and then a period of intense foreign intervention followed. Conservative authoritarian rule gave way to a liberal dictatorship in 1893. Disputes over the granting of canal rights caused the United States to back a conservative revolt. The U.S. Marines stayed during most of the period until 1934.

The Somoza Years In 1934 Anastasio Somoza, head of the Nicaragua National Guard, overthrew the government and became president in 1937 after a tainted election. For over 40 years the Somoza family maintained a firm hold on the nation. Through the National Guard, the Somozas repressed civil liberties and controlled government institutions. They were able to acquire great wealth by owning or controlling large portions of the nation's economy, including real estate, agriculture, manufacturing, and transport. The dictatorship initially enjoyed support from the United States. Support waned, however, as repression and human rights abuses increased.

Rise of the Sandinistas Marxist opposition leaders formed the Sandinista National Liberation Front (FSLN) in 1961. The Sandinistas, as they are known, take their name from a liberal rebel leader murdered by Somoza's National Guard. Other opposition groups eventually supported this Marxist guerilla movement. In 1979 it toppled the Somoza regime.

The FSLN government set about repairing a country devastated by both civil war and an earthquake in 1972. It began by expropriating land held by the Somozas and their cohorts. It nationalized banks, mines, and forest resources and placed the import and export of foodstuffs under government control. A series of statutes guaranteed basic civil rights and freedoms.

Counterrevolution The Sandinistas strengthened international ties with noncommunist nations, but its relationships with Cuba and other socialist nations caused concern in the United States. The United States responded by cutting off aid to Nicaragua. Moreover, the United States supported a group of counterrevolutionaries, known as the Contras. By 1982 the Sandinista government declared a state of emergency because of the Contras' insurgency, rolling back some of the civil rights it had established.

In 1984 the government held elections. The FSLN candidate, Daniel Ortega, won. International observers evaluated the election as fair, but the United States rejected it. The United States stepped up its economic sanctions, forcing the government to impose harsh measures

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to speed economic recovery. Fighting the Contras further drained the government coffers. Nicaraguans' discontent with the Sandinista government grew, particularly among ethnic minorities and peasants.

Cease-fire The counterrevolution came to an impasse in 1986 when a scandal erupted in the United States. In 1985, during a brief period when Congress had suspended support of the insurgents, the U.S. National Security Council illegally diverted funds to aid the Contras. In light of the scandal, the United States suspended further military support. A cease-fire was negotiated in 1988. The fighting came to an end in 1990. In a closely monitored election, Nicaraguans chose U.S.-backed moderate Violeta Barrios de Chamorro over Ortega. U.S. aid to the nation resumed, and Chamorro re-privatized various aspects of the economy, such as banking and mining. Economic recovery, hampered by a hurricane in 1998, has been slow, and Ortega was reelected in 2006.

The Republic of Nicaragua today is a constitutional democracy, functioning under the constitution established in 1987 (and last reformed in 2005). It remains to be seen how far Ortega will break from his Marxist past to maintain and pursue free-market reforms in Nicaragua.

The Federalist Papers were a series of essays written by Alexander Hamilton, James Madison, and John Jay. These articles and essays were written to promote the ratification of the United States constitution. Below are excerpts from Federalist No. 10 and No. 51 written by James Madison.

Federalist No. 10

The inference to which we are brought is, that the CAUSES of faction cannot be removed, and that relief is only to be sought in the means of controlling its EFFECTS. If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit

and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great desideratum by which this form of government can be rescued from the opprobrium under which it has so long labored, and be recommended to the esteem and adoption of mankind. By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time must be prevented, or the majority, having such coexistent passion or interest, must be rendered, by their number and local situation, unable to concert and carry into effect schemes of oppression. If the impulse and the opportunity be suffered to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together, that is, in proportion as their efficacy becomes needful. From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions. A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union. The two great points of difference between a democracy and a republic are: first, the delegation of the

government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens, and greater sphere of country, over which the latter may be extended.

Federalist No. 51

TO WHAT expedient, then, shall we finally resort, for maintaining in practice the necessary partition of power among the several departments, as laid down in the Constitution? The only answer that can be given is, that as all these exterior provisions are found to be inadequate, the defect must be supplied, by so contriving the interior structure of the government as that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper places. Without presuming to undertake a full development of this important idea, I will hazard a few general observations, which may perhaps place it in a clearer light, and enable us to form a more correct judgment of the principles and structure of the government planned by the convention. In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others. Were this principle rigorously adhered to, it would require that all the appointments for the supreme executive, legislative, and judiciary magistracies should be drawn from the same fountain of authority, the people, through channels having no communication whatever with one another. Perhaps such a plan of constructing the several departments would be less difficult in practice than it may in contemplation appear. Some difficulties, however, and some additional expense would attend the execution of it. Some deviations, therefore, from the principle must be admitted. In the constitution of the judiciary department in particular, it might be inexpedient to insist rigorously on the principle: first, because peculiar qualifications being essential in the members, the primary consideration ought to be to select that mode of choice which best secures these qualifications; secondly, because the permanent tenure by

which the appointments are held in that department, must soon destroy all sense of dependence on the authority conferring them. It is equally evident, that the members of each department should be as little dependent as possible on those of the others, for the emoluments annexed to their offices. Were the executive magistrate, or the judges, not independent of the legislature in this particular, their independence in every other would be merely nominal. But the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. The provision for defense must in this, as in all other cases, be made commensurate to the danger of attack. Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place. It may be a reflection on human nature, that such devices should be necessary to control the abuses of government. But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions. This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public. We see it particularly displayed in all the subordinate distributions of power, where the constant aim is to divide and arrange the several offices in such a manner as that each may be a check on the other that the private interest of every individual may be a sentinel over the public rights. These inventions of prudence cannot be less requisite in the distribution of the supreme powers of the State. But it is not possible to give to each department an equal power of self-defense. In republican government, the legislative authority necessarily predominates. The remedy for this inconveniency is to divide the legislature into different branches; and to render them, by different modes of

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election and different principles of action, as little connected with each other as the nature of their common functions and their common dependence on the society will admit. It may even be necessary to guard against dangerous encroachments by still further precautions. As the weight of the legislative authority requires that it should be thus divided, the weakness of the executive may require, on the other hand, that it should be fortified. An absolute negative on the legislature appears, at first view, to be the natural defense with which the executive magistrate should be armed. But perhaps it would be neither altogether safe nor alone sufficient. On ordinary occasions it might not be exerted with the requisite firmness, and on extraordinary occasions it might be perfidiously abused. May not this defect of an absolute negative be supplied by some qualified connection between this weaker department and the weaker branch of the stronger department, by which the latter may be led to support the constitutional rights of the former, without being too much detached from the rights of its own department? If the principles on which these observations are founded be just, as I persuade myself they are, and they be applied as a criterion to the several State constitutions, and to the federal Constitution it will be found that if the latter does not perfectly correspond with them, the former are infinitely less able to bear such a test.

“The Federalist Papers: No.10” excerpt from the Bill of Rights Institute

Entire Selection: <https://billofrightsinstitute.org/founding-documents/primary-source-documents/the-federalist-papers/federalist-papers-no-10/>

Accessed July, 2019.

“The Federalist Papers: No. 51” excerpt from the Avalon Project, Yale Law School.

Entire Selection: https://avalon.law.yale.edu/18th_century/fed51.asp

Accessed July, 2019.

The Anti-Federalist Papers were written in opposition to the ratification of the Constitution. These essays were written by numerous Founding

Fathers, including George Mason and Samuel Adams. Below are excerpts of “Federal Taxing Power must be Restrained” by George Mason and “To the Citizens of the State of New York” by George Clinton.

Federal Taxing Power must Be Restrained

Mr. Chairman, whether the Constitution be good or bad, the present clause [Article 1, Section 2] clearly discovers that it is a national government, and no longer a Confederation. I mean that clause which gives the first hint of the general government laying direct taxes. The assumption of this power of laying direct taxes does, of itself, entirely change the confederation of the states into one consolidated government. This power, being at discretion, unconfined, and without any kind of control, must carry every thing before it. The very idea of converting what was formerly a confederation to a consolidated government is totally subversive of every principle which has hitherto governed us. This power is calculated to annihilate totally the state governments. Will the people of this great community [Virginia] submit to be individually taxed by two different and distinct powers? Will they suffer themselves to be doubly harassed? These two concurrent powers cannot exist long together; the one will destroy the other. The general government being paramount to, and in every respect more powerful than the state governments, the latter must give way to the former.... Requisitions [under the Articles of Confederation] have been often refused, sometimes from an impossibility of complying with them; often from that great variety of circumstances which retards the collection of moneys; and perhaps sometimes from a wilful design of procrastinating. But why shall we give up to the national government this power, so dangerous in its nature, and for which its members will not have sufficient information? Is it not well known that what would be a proper tax in one state would be grievous in another? The gentleman who has favored us with a eulogium in favor of this system [Wilson C. Nicholas], must, after all the encomiums he has been pleased to bestow upon it, acknowledge that our federal representatives must be unacquainted with the situation of their constituents. Sixty-five members cannot possibly know the situation and circumstances of all the inhabitants of this immense continent. When a certain sum comes to be taxed, and the

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mode of levying to be fixed, they will lay the tax on that article which will be most productive and easiest in the collection, without consulting the real circumstances or convenience of a country, with which, in fact, they cannot be sufficiently acquainted. The mode of levying taxes is of the utmost consequence; and yet here it is to be determined by those who have neither knowledge of our situation, nor a common interest with us, nor a fellow-feeling for us. The subject of taxation differs in three fourths, nay, I might say with truth, in four fifths of the states. If we trust the national government with an effectual way of raising the necessary sums, it is sufficient: everything we do further is trusting the happiness and rights of the people. Why, then, should we give up this dangerous power of individual taxation? Why leave the manner of laying taxes to those who, in the nature of things, cannot be acquainted with the situation of those on whom they are to impose them, when it can be done by those who are well acquainted with it? If, instead of giving this oppressive power, we give them such an effectual alternative as will answer the purpose, without encountering the evil and danger that might arise from it, then I would cheerfully acquiesce; and would it not be far more eligible? I candidly acknowledge the inefficacy of the Confederation; but requisitions have been made which were impossible to be complied with — requisitions for more gold and silver than were in the United States. If we give the general government the power of demanding their quotas of the states, with an alternative of laying direct taxes in case of non-compliance, then the mischief would be avoided. And the certainty of this conditional power would, in all human probability, prevent the application, and the sums necessary for the Union would be then laid by the states, by those who know how it can best be raised, by those who have a fellow-feeling for us. Give me leave to say, that the sum raised one way with convenience and ease, would be very oppressive another way. Why, then, not leave this power to be exercised by those who know the mode most convenient for the inhabitants, and not by those who must necessarily apportion it in such manner as shall be oppressive? . . . An indispensable amendment . . . is, that Congress shall not exercise the power of raising direct taxes till the states shall have refused to comply with the requisitions of Congress. On this condition it may be granted; but I see no reason to grant it unconditionally, as

the states can raise the taxes with more ease, and lay them on the inhabitants with more propriety, than it is possible for the general government to do. If Congress hath this power without control, the taxes will be laid by those who have no fellow-feeling or acquaintance with the people. This is my objection to the article now under consideration. It is a very great and important one. I therefore beg gentlemen to consider it. Should this power be restrained, I shall withdraw my objections to this part of the Constitution; but as it stands, it is an objection so strong in my mind, that its amendment is with me a sine qua non of its adoption. I wish for such amendments, and such only, as are necessary to secure the dearest rights of the people....

To the Citizens of the State of New York

Without directly engaging as an advocate for this new form of national government, or as an opponent—let me conjure you to consider this a very important crisis of your safety and character—You have already, in common with the rest of your countrymen, the citizens of the other states, given to the world astonishing evidences of your greatness—you have fought under peculiar circumstances, and was successful against a powerful nation on a speculative question—you have established an original compact between you and your governors, a fact heretofore unknown in the formation of the governments of the world—your experience has informed you, that there are defects in the federal system, and, to the astonishment of mankind, your legislatures have concerted measures for an alteration, with as much ease as an individual would make a disposition of his ordinary domestic affairs: this alteration now lies before you, for your consideration; but beware how you determine—do not, because you admit that something must be done, adopt any thing—teach the members of that convention, that you are capable of a supervision of their conduct. The same medium that gave you this system, if it is erroneous, while the door is now open, can make amendments, or give you another, if it is required.—Your fate, and that of your posterity, depends on your present conduct—do not give the latter reason to curse you, nor yourselves cause of reprehension; as individuals you are ambitious of leaving behind you a good name, and it is the reflection, that you have done right in this life, that

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blunts the sharpness of death; the same principles would be a consolation to you, as patriots, in the hour of dissolution, that you would leave to your children a fair political inheritance, untouched by the vultures of power, which you had acquired by an unshaken perseverance in the cause of liberty—but how miserable the alternative—you would deprecate the ruin you had brought on yourselves—be the curse of posterity, and the scorn and scoff of nations. Deliberate, therefore, on this new national government with coolness; analyze it with criticism; and reflect on it with candour: if you find that the influence of a powerful few, or the exercise of a standing army, will always be directed and exerted for your welfare alone, and not to the aggrandizement of themselves, and that it will secure to you and your posterity happiness at home, and national dignity and respect from abroad, adopt it—if it will not, reject it with indignation—better to be where you are, for the present, than insecure forever afterwards. Turn your eyes to the United Netherlands, at this moment, and view their situation; compare it with what yours may be, under a government substantially similar to theirs. Beware of those who wish to influence your passions, and to make you dupes to their resentments and little interests—personal invectives can never persuade, but they always fix prejudices which candor might have removed—those who deal in them have not your happiness at heart. Attach yourselves to measures, not to men. This form of government is handed to you by the recommendations of a man who merits the confidence of the public; but you ought to recollect, that the wisest and best of men may err, and their errors, if adopted, may be fatal to the community; therefore, in principles of politics, as well as in religious faith, every man ought to think for himself. Hereafter, when it will be necessary, I shall make such observations, on this new constitution, as will tend to promote your welfare, and be justified by reason and truth.

“Federal Taxing Power must Be Restrained” excerpt from “The Anti-Federalist Papers” edited by Morton Borden, 1965.

Entire Selection:

[http://resources.utulsa.edu/law/classes/rice/Constitutional/AntiFederalist/;](http://resources.utulsa.edu/law/classes/rice/Constitutional/AntiFederalist/)

Accessed July, 2019

“To the Citizens of the State of New York” excerpt from “The Complete Anti-Federalist” edited by Herbert J. Storing, 1981.

Entire Selection: https://books.google.com/books?id=8MO_vG0mQOIC&printsec=frontcover&source=gbs_ge_summary_r&c

Accessed July, 2019