

1

COURSE INTRODUCTION

This reference section includes a course syllabus and a projected calendar of homework and assignments.

NOTE: This is a draft calendar, and assignment dates will change as the semester progresses.



A MODEL OF CHRISTIAN CHARITY JOHN WINTHROP, 1630

. . . Now the only way to avoid this shipwreck and to provide for our posterity is to follow the Counsel of Micah, to do justly, to love mercy, to walk humbly with our God, for this end, we must be knit together in this work as one man, we must entertain each other in brotherly affection, we must be willing to abridge our selves of our superfluities, for the supply of others necessities, we must uphold a familiar Commerce together in all meekness, gentleness, patience and liberality, we must delight in each other, make others conditions our own, rejoice together, mourn together, labor, and suffer together, always having before our eyes our Commission and Community in the work, our Community as members of the same body, so shall we keep the unity of the spirit in the bond of peace, the Lord will be our God and delight to dwell among us, as his own people and will command a blessing upon us in all our ways, so that we shall see much more of his wisdom power goodness and truth then formerly we have been acquainted with,

We shall find that the God of Israel is among us, when ten of us shall be able to resist a thousand of our enemies, when he shall make us a praise and glory, that men shall say of succeeding plantations: the Lord make it like that of New England: for we must Consider that we shall be as a City upon a Hill, the eyes of all people are upon us; so that if we shall deal falsely with our God in this work we have undertaken and so cause him to withdraw his present help from us, we shall be made a story and a byword through the world, we shall open the mouthes of enemies to speak evil of the ways of God and all professors for God's sake; we shall shame the faces of many of God's worthy servants, and cause their prayers to be turned into curses upon us till we be consumed out of the good land where we are going: And to shut up this discourse with that exhortation of Moses that faithful servant of the Lord in his last farewell to Israel (Deuteronomy 30).

Beloved, there is now set before us life, and good, death and evil in that we are Commanded this day to love the Lord our God, and to love one another to walk in his ways and to keep his Commandments and his Ordinance, and his laws, and the Articles of our Covenant with him that we may live and be multiplied, and that the Lord our God may bless us in the land whether we go to possess it:

But if our hearts shall turn away so that we will not obey, but shall be seduced and worship other gods, our pleasures and profits, and serve them, it is propounded unto us this day, we shall surely perish out of the good Land whether we pass over this vast sea to possess it;

Therefore let us choose life, that we, and our Seed, may live; by obeying his voice, and cleaving to him, for he is our life, and our prosperity.

COURSE SYLLABUS

AMERICAN GOVERNMENT & POLITICAL PHILOSOPHY

MR. PATRICK CLANCY PCLANCY@WSSD.ORG (610) 892-3470 X 2205 ROOM 205

Introduction

“In conjunction with families and other community institutions, public education prepares students to become self-directed, life-long learners and responsible, involved citizens”

Pennsylvania State Code, Title 22, Chapter 4, Section 11, Part B

As our high school seniors reach the age of voter eligibility, the capstone course of the social studies department reflects on the rights and responsibilities of citizens in a democratic society. We will examine the roots of our political framework and analyze the challenges our system will face going forward. In the end, students may leave with more questions than answers, but they will be able to follow the deeper issues behind public policy debates.

Major Themes of Study

Classical Political Philosophy

We will begin the course by studying several philosophical texts with timeless messages. We will discuss the enduring legacy of Greek philosophers in American politics. Course readings will include *The Apology*, *The Republic*, and *The Politics*.

Renaissance & Enlightenment Political Philosophy

We will continue studying the philosophical roots of the American Government by reviewing Machiavelli's *The Prince*, Thomas Hobbes' *Leviathan*, John Locke's *Two Treatises of Government*, Jean Jacque Rousseau's *Social Contract*, and Cesare Beccaria's *On Crime and Punishment*.

Framework of American Federalism

We will provide a review of the structure and function of American government, including the division between federal, state, and local powers, as well as the division between the legislative, executive, and judicial branches.

Original Debates Over Federalism

We will review the original arguments for and against our Constitution in the form of the Federalist Papers and Antifederalist Papers. As we review these documents, students will be assigned a case study to investigate whether our constitutional model would work in another country.

Landmark Documents and Speeches

In this unit, we will review twenty iconic messages that discuss political leaders' vision for America. Over the course of two weeks, we will discuss themes that have remained consistent and others that have evolved over the past two hundred years. At the end of the unit, students will write their own political manifesto.

Current and Future Issues in America

We will conclude the course by focusing on several key areas of debate in the political forum today. The complete list will cater to student interests, but potential topics include foreign policy, education policy, taxation, immigration, and homeland security.

Course Grades

The final grade is determined as follows:

Marking Period 1	40%
Marking Period 2	40%
Final Exam	20%

The Strath Haven High School grading scale will be used:

98-100 (A+)	87-89 (B+)	77-79 (C+)	67- 69 (D+)
93-97 (A)	83-86 (B)	73-76 (C)	63-66 (D)
90-92 (A-)	80-82 (B-)	70-72 (C-)	60-62 (D-)

Assessments include presentations, debates, tests and quizzes, projects, and writing assignments.

Strath Haven Respect Statement

All members of the school community are expected to be respectful of each other.

Negative comments about anyone's race, nationality, religion, physical appearance or ability, intellectual capability, gender identity, sexual orientation, work ethic, or character are unacceptable and will not be tolerated.

Students are encouraged to discuss and concerns with an adult in the building.

Strath Haven Academic Honesty Statement

Strath Haven HS students are expected to maintain the highest standards of academic honesty.

Plagiarism is the unacknowledged use of another person's labor, ideas, words, or assistance. Repeating another person's sentences as your own, adopting a particular phrase, paraphrasing someone else's argument, or presenting someone else's line of thinking to develop a thesis as though it were your own are examples of plagiarism.

Any student found to have used phones or any other type of equipment to copy or otherwise misuse teacher materials such as tests or other assignments will be subject to this policy.

Students who are found to have engaged in plagiarism or any other form of academic dishonesty will receive a zero for the assignment, with no opportunity to make up the work. Students will also be subject to disciplinary action at the discretion of the administration.

Classroom Policies

Class Absence: It is the student's responsibility to meet with the teacher upon returning from an excused absence to discuss completing missed work. If a student misses a test, they must make up the test outside of class time within 48 hours of returning.

Unexcused Absence: Students will receive zero points for any missed on the day of the unexcused absence. This includes projects, tests, quizzes, and homework.

Class Participation: Students are expected to arrive on time, respect students and staff, bring essential materials, complete class activities, and contribute to class discussions. Frequent use of a cellular phones/electronic devices may lead to a grade deduction.

Submission of Work: If students cannot submit an assignment on time, they must inform the teacher as soon as possible. Unless an extension is granted, the student's score for the assignment will drop one letter grade for each day past the deadline. However, if an assignment is late due to an unexcused absence, the student will receive a zero.

Hall Pass: Students must ask to use the hall pass. After receiving permission, students must sign out and sign in upon return. Only one student may leave class at a time.

SEPTEMBER CALENDAR

Monday	Tuesday	Wednesday	Thursday	Friday
			1	2
5 Labor Day <i>No Classes</i>	6 Syllabus Day HW: "Model of Christian Charity" & 1st Blog Entry	7 Blog Due HW: Allegory of the Cave & Summer Reading Essay	8 HW: The Philosopher King & Summer Reading Essay	9 HW: The Apology & Summer Reading Essay
12 Summer Reading Essay Due HW: Crito Dialogue	13 HW: The Politics	14 <i>Activities Assembly</i> HW: Test Prep	15 <i>Senior SuperPhoto</i> Ancient Greek Philosophy Test HW: The Prince	16 <i>Bob Roberts</i> HW: The Prince & Machiavelli Essay
19 <i>Bob Roberts</i> HW: The Leviathan & Machiavelli Essay	20 HW: Two Treatises of Government & Machiavelli Essay	21 Machiavelli Essay Due HW: Social Contract	22 HW: On Crime & Punishment	23 HW: Test Prep
26 <i>Act 80 - 2 Hour Delay</i> Enlightenment Test HW: Watch Presidential Debate	27 HW: Articles of Confederation	28 HW: Constitution Article I	29 HW: Constitution Article II-VII & 2nd Blog Entry	30 Blog Due

OCTOBER CALENDAR

Monday	Tuesday	Wednesday	Thursday	Friday
<p>3</p> <p><i>Rosh Hashanah</i></p> <p><i>No Classes</i></p>	<p>4</p> <p>HW: Bill of Rights</p>	<p>5</p> <p>HW: Amendments 11-18</p>	<p>6</p> <p>HW: Amendments 18-27</p>	<p>7</p> <p>HW: Watch Presidential Debate & 3rd Blog Entry</p>
<p>10</p> <p>Blog Due</p> <p>HW: Test Prep</p>	<p>11</p> <p>Constitution Test</p> <p><i>Voter Registration Deadline</i></p>	<p>12</p> <p><i>Yom Kippur</i></p> <p><i>No Classes</i></p>	<p>13</p> <p>HW: Federalist No. 1 & No. 2</p>	<p>14</p> <p>HW: Federalist No. 10 & No. 15</p>
<p>17</p> <p><i>LINK Weekend</i></p> <p>HW: Federalist No. 51</p>	<p>18</p> <p>HW: Antifederalist No. 10 & Agrippa IX</p>	<p>19</p> <p>HW: Watch Presidential Debate</p>	<p>20</p> <p>HW: Centinel I & Brutus I</p>	<p>21</p> <p><i>Wall of Honor & Pep Rally</i></p> <p>HW: 4th Blog</p>
<p>24</p> <p>Blog Due</p> <p>UN Task Force Project</p>	<p>25</p> <p>UN Task Force Project</p>	<p>26</p> <p>UN Task Force Project</p>	<p>27</p> <p>UN Task Force Project</p>	<p>28</p> <p>UN Task Force Project</p>
<p>31</p> <p><i>Halloween Parade</i></p> <p>UN Task Force Project</p>				

NOVEMBER CALENDAR

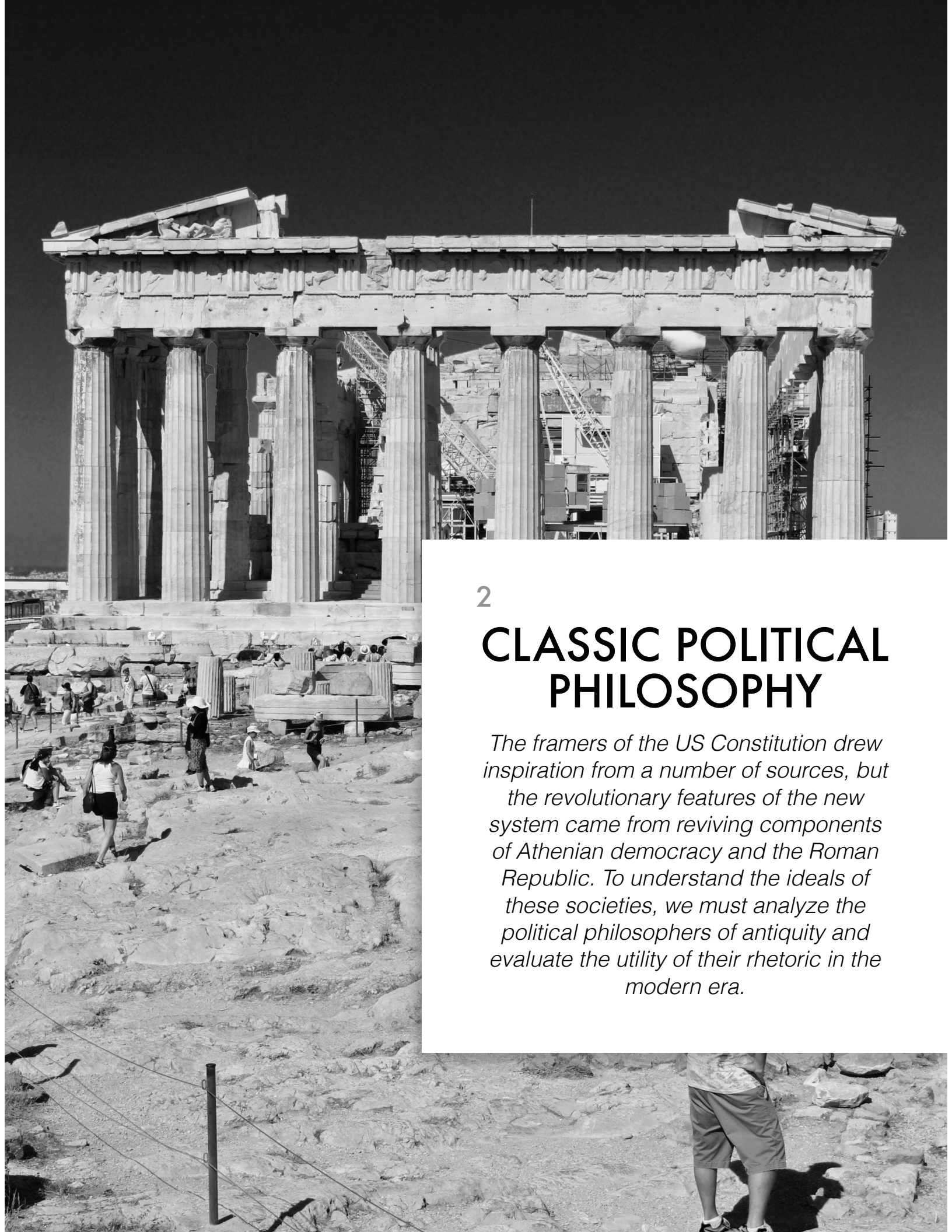
Monday	Tuesday	Wednesday	Thursday	Friday
	1 UN Task Force Project	2 UN Task Force Presentations	3 UN Task Force Presentations HW: 5th Blog	4 <i>1st Quarter Closes Blog Due</i>
7 HW: Tree of Liberty, Newport, Washington's Farewell	8 Election Day <i>No Classes</i>	9 HW: Democracy in America, Monroe Doctrine, & Manifest Destiny	10 HW: Lincoln's Speeches	11 <i>Veterans Day Parade</i> Blog Entry In Class
14 HW: Coolidge Sesquicentennial & Eisenhower Farewell	15 HW: JFK Inaugural & RFK at University of Cape Town	16 HW: Call for Unity & Letter from Birmingham Jail	17 HW: The Ballot or the Bullet	18 HW: Statement on the Articles of Impeachment & A Time for Choosing
21 HW: Personal Manifesto	22 Personal Manifesto Due	23 <i>No Classes</i>	24 <i>Thanksgiving No Classes</i>	25 <i>No Classes</i>
28 <i>Current Events Series</i>	29 <i>Current Events Series</i>	30 <i>Current Events Series</i>		

DECEMBER CALENDAR

Monday	Tuesday	Wednesday	Thursday	Friday
			1 <i>Current Events Series</i>	2 <i>Current Events Series</i> HW: 7th Blog Entry
5 Blog Entry Due <i>Current Events Series</i>	6 <i>Current Events Series</i>	7 <i>Current Events Series</i>	8 <i>Current Events Series</i>	9 <i>Current Events Series</i> HW: 8th Blog Entry
12 Blog Entry Due <i>Current Events Series</i>	13 <i>Current Events Series</i>	14 <i>Current Events Series</i>	15 <i>Current Events Series</i>	16 <i>Current Events Series</i>
19 <i>Current Events Series</i>	20 <i>Current Events Series</i> HW: 9th Blog Entry	21 Blog Entry Due <i>Current Events Series</i>	22 <i>Current Events Series</i>	23 <i>Travel Talk</i>
26 <i>Winter Break</i> <i>No Classes</i>	27 <i>Winter Break</i> <i>No Classes</i>	28 <i>Winter Break</i> <i>No Classes</i>	29 <i>Winter Break</i> <i>No Classes</i>	30 <i>Winter Break</i> <i>No Classes</i>

JANUARY CALENDAR

Monday	Tuesday	Wednesday	Thursday	Friday
2 <i>No Classes</i>	3 Debate Pairings & Topics Assigned	4 Debate Prep	5 Debate Prep	6 Debate Prep
9 Debates	10 <i>Keystone Lit.</i> "A" Day Debates	11 <i>Keystone Lit.</i> "B" Day Debates	12 <i>Keystone Algebra</i> "A" Day Debates	13 <i>Keystone Algebra</i> "B" Day Debates
16 <i>Martin Luther King, Jr. Day</i> <i>No Classes</i>	17 <i>Keystone Biology</i> "B" Day Exam Review & Final Blog Entry	18 Blog Entry Due Exam Review	19 1st & 2nd Block Final Exams	20 3rd Block Final Exam
23 <i>Make-Up Exams</i> <i>No Classes</i>	24 Second Semester Begins	25	26 <i>Back to School Night</i>	27 <i>Report Cards Mailed</i>
30	31			



2

CLASSIC POLITICAL PHILOSOPHY

The framers of the US Constitution drew inspiration from a number of sources, but the revolutionary features of the new system came from reviving components of Athenian democracy and the Roman Republic. To understand the ideals of these societies, we must analyze the political philosophers of antiquity and evaluate the utility of their rhetoric in the modern era.



THE APOLOGY

PLATO/SOCRATES

390 BCE
ATHENS, GREECE

Socrates, a brilliant philosopher and local nuisance in Ancient Athens, never wrote because he believed the written word destroyed our memory.

When accused of corrupting local youth, Socrates stood trial before a jury of 500 people. His “apologia” or self-defense was later published by his student and protégé, Plato. Historians do not know the extent to which Plato cleaned up Socrates’ remarks, but it remains the most important insight into the life of Socrates.

How you, O Athenians, have been affected by my accusers, I cannot tell; but I know that they almost made me forget who I was — so persuasively did they speak; and yet they have hardly uttered a word of truth. But of the many falsehoods told by them, there was one which quite amazed me; — I mean when they said that you should be upon your guard and not allow yourselves to be deceived by the force of my eloquence. To say this, when they were certain to be detected as soon as I opened my lips and proved myself to be anything but a great speaker, did indeed appear to me most shameless — unless by the force of eloquence they mean the force of truth; for is such is their meaning, I admit that I am eloquent. But in how different a way from theirs! Well, as I was saying, they have scarcely spoken the truth at all; but from me you shall hear the whole truth: not, however, delivered after their manner in a set oration duly ornamented with words and phrases. No, by heaven! but I shall use the words and arguments which occur to me at the moment; for I am confident in the justice of my cause (Or, I am certain that I am right in taking this course.): at my time of life I ought not to be appearing before you, O men of Athens, in the character of a juvenile orator — let no one expect it of me. And I must beg of you to grant me a favor: — If I defend myself in my accustomed manner, and you hear me using the words which I have been in the habit of using in the agora, at the tables of the money-changers, or anywhere else, I would ask you not to be surprised, and not to interrupt me on this account. For I am more than seventy years of age, and appearing now for the first time in a court of law, I am quite a stranger to the language of the place; and therefore I would have you regard me as if I were really a stranger, whom you would excuse if he spoke in his native tongue, and after the fashion of his country: — Am I making an unfair request of you? Never mind the manner, which may or may not be good; but think only of the truth of my words, and give heed to that: let the speaker speak truly and the judge decide justly.

And first, I have to reply to the older charges and to my first accusers, and then I will go on to the later ones. For of old I have had many accusers, who have accused me falsely to you during many years; and I am more afraid of them than of Anytus and his associates, who are dangerous, too, in their own way. But far more dangerous are the others, who began when you were children, and took possession of your minds with their falsehoods, telling of one Socrates, a wise man, who speculated about the heaven above, and searched into the earth beneath, and made the worse appear the better cause. The disseminators of this tale are the accusers whom I dread; for their hearers are apt to fancy that such enquirers do not believe in the existence of the gods. And they are many, and their charges against me are of ancient date, and they were made by them in the days when you were more impressible than you are now — in childhood, or it may have been in youth — and the cause when heard went by default, for there was none to answer. And hardest of all, I do not know and cannot tell the names of my accusers; unless in the chance case of a Comic poet. All who from envy and malice have persuaded you — some of them having first convinced themselves — all this class of men are most difficult to deal with; for I cannot have them up here, and cross-examine them, and therefore I must simply fight with shadows in my own defense, and argue when there is no one who answers. I will ask you then to assume with me, as I was saying, that my opponents are of two kinds; one recent, the other ancient: and I hope that you will see the propriety of my answering the latter first, for these accusations you heard long before the others, and much oftener.

Well, then, I must make my defense, and endeavor to clear away in a short time, a slander which has lasted a long time. May I succeed, if to succeed be for my good and yours, or likely to avail me in my cause! The task is not an easy one; I quite understand the nature of it. And so leaving the event with God, in obedience to the law I will now make my defense.

I will begin at the beginning, and ask what is the accusation which has given rise to the slander of me, and in fact has encouraged Meletus to prove this charge against me. Well, what do the slanderers say? They shall be my prosecutors, and I will sum up their words in an affidavit: 'Socrates is an evil-doer, and a curious person, who searches into things under the earth and in heaven, and he makes the worse appear the better cause; and he teaches the aforesaid doctrines to others.' Such is the nature of the accusation: it is just what you have yourselves seen in the comedy of Aristophanes (Aristophanes, *Clouds*), who has introduced a man whom he calls Socrates, going about and saying that he walks in air, and talking a deal of nonsense concerning matters of which I do not pretend to know either much or little — not that I mean to speak disparagingly of any one who is a student of natural philosophy. I should be very sorry if Meletus could bring so grave a charge against me. But the simple truth is, O Athenians, that I have nothing to do with physical speculations. Very many of those here present are witnesses to the truth of this, and to them I appeal. Speak then, you who have heard me, and tell your neighbors whether any of you have ever known me hold forth in few words or in many upon such matters . . . You hear their answer. And from what they say of this part of the charge you will be able to judge of the truth of the rest.

As little foundation is there for the report that I am a teacher, and take money; this accusation has no more truth in it than the other. Although, if a man were really able to instruct mankind, to receive money for giving instruction would, in my opinion, be an honor to him. There is Gorgias of Leontium, and Prodicus of Ceos, and Hippias of Elis, who go the round of the cities, and are able to persuade the young men to leave their own citizens by whom they might be taught for nothing, and come to them whom they not only pay, but are thankful if they may be allowed to pay them. There is at this time a Parian philosopher residing in Athens, of whom I have heard; and I came to hear of him in this way:— I came across a man who has spent a world of money on the Sophists, Callias, the son of Hipponicus, and knowing that he had sons, I asked him: 'Callias,' I said, 'if your two sons were foals or calves, there would be no difficulty in finding someone to put over them; we should hire a trainer of horses, or a farmer probably, who would improve and perfect them in their own proper virtue and excellence; but as they are human beings, whom are you thinking of placing over them? Is there anyone who understands human and political virtue? You must have thought about the matter, for you have sons; is there any one?' 'There is,' he said. 'Who is he?' said I; 'and of what country? And what does he charge?' 'Evenus the Parian,' he replied; 'he is the man, and his charge is five minae.' Happy is Evenus, I said to myself, if he really has this wisdom, and teaches at such a moderate charge. Had I the same, I should have been very proud and conceited; but the truth is that I have no knowledge of the kind.

I dare say, Athenians, that someone among you will reply, 'Yes, Socrates, but what is the origin of these accusations which are brought against you; there must have been something strange which you have been doing? All these rumors and this talk about you would never have arisen if you had been like other men: tell us, then, what is the cause of them, for we should be sorry to judge hastily of you.' Now I regard this as a fair challenge, and I will endeavor to explain to you the reason why I am called wise and have such an evil fame. Please to attend then. And although some of you may think that I am joking, I declare that I

will tell you the entire truth. Men of Athens, this reputation of mine has come of a certain sort of wisdom which I possess. If you ask me what kind of wisdom, I reply, wisdom such as may perhaps be attained by man, for to that extent I am inclined to believe that I am wise; whereas the persons of whom I was speaking have a superhuman wisdom which I may fail to describe, because I have it not myself; and he who says that I have, speaks falsely, and is taking away my character. And here, O men of Athens, I must beg you not to interrupt me, even if I seem to say something extravagant. For the word which I will speak is not mine. I will refer you to a witness who is worthy of credit; that witness shall be the God of Delphi — he will tell you about my wisdom, if I have any, and of what sort it is. You must have known Chaerephon; he was early a friend of mine, and also a friend of yours, for he shared in the recent exile of the people, and returned with you. Well, Chaerephon, as you know, was very impetuous in all his doings, and he went to Delphi and boldly asked the oracle to tell him whether — as I was saying, I must beg you not to interrupt — he asked the oracle to tell him whether anyone was wiser than I was, and the Pythian prophetess answered, that there was no man wiser. Chaerephon is dead himself; but his brother, who is in court, will confirm the truth of what I am saying.

Why do I mention this? Because I am going to explain to you why I have such an evil name. When I heard the answer, I said to myself, what can the god mean? And what is the interpretation of his riddle? For I know that I have no wisdom, small or great. What then can he mean when he says that I am the wisest of men? And yet he is a god, and cannot lie; that would be against his nature. After long consideration, I thought of a method of trying the question. I reflected that if I could only find a man wiser than myself, then I might go to the god with a refutation in my hand. I should say to him, 'Here is a man who is wiser than I am; but you said that I was the wisest.' Accordingly I went to one who had the reputation of wisdom, and observed him — his name I need not mention; he was a politician whom I selected for examination — and the result was as follows: When I began to talk with him, I could not help thinking that he was not really wise, although he was thought wise by many, and still wiser by himself; and thereupon I tried to explain to him that he thought himself wise, but was not really wise; and the consequence was that he hated me, and his enmity was shared by several who were present and heard me. So I left him, saying to myself, as I went away: Well, although I do not suppose that either of us knows anything really beautiful and good, I am better off than he is — for he knows nothing, and thinks that he knows; I neither know nor think that I know. In this latter particular, then, I seem to have slightly the advantage of him. Then I went to another who had still higher pretensions to wisdom, and my conclusion was exactly the same. Whereupon I made another enemy of him, and of many others besides him.

Then I went to one man after another, being not unconscious of the enmity which I provoked, and I lamented and feared this: but necessity was laid upon me — the word of God, I thought, ought to be considered first. And I said to myself, Go I must to all who appear to know, and find out the meaning of the oracle. And I swear to you, Athenians, by the dog I swear! For I must tell you the truth — the result of my mission was just this: I found that the men most in repute were all but the most foolish; and that others less esteemed were really wiser and better. I will tell you the tale of my wanderings and of the 'Herculean' labors, as I may call them, which I endured only to find at last the oracle irrefutable. After the politicians, I went to the poets; tragic, dithyrambic, and all sorts. And there, I said to myself, you will be instantly detected; now you will find out that you are more ignorant than they are. Accordingly, I took them some of the most elaborate passages in their own writings, and asked what was the meaning of them — thinking that they would teach me something. Will you believe me? I am almost ashamed to confess the truth, but I must say that there is hardly a person present who would not have talked better about their poetry than they did themselves. Then I knew that not by wisdom do poets write poetry, but by a sort of genius and inspiration; they are like diviners or soothsayers who also say many fine things, but do not understand the meaning of them. The poets appeared to me to be much in the same case; and I further observed that upon the strength of their poetry they believed themselves to be the wisest of men in other things in which they were not wise. So I departed, conceiving myself to be superior to them for the same reason that I was superior to the politicians.

At last I went to the artisans. I was conscious that I knew nothing at all, as I may say, and I was sure that they knew many fine things; and here I was not mistaken, for they did know many things of which I was ignorant, and in this they certainly were wiser than I was. But I observed that even the good artisans fell into the same error as the poets; — because they were good workmen they thought that they also knew all sorts of high matters, and this defect in them overshadowed their wisdom; and therefore I asked myself on behalf of the oracle, whether I would like to be as I was, neither having their knowledge nor their ignorance, or like them in both; and I made answer to myself and to the oracle that I was better off as I was.

This inquisition has led to my having many enemies of the worst and most dangerous kind, and has given occasion also to many calumnies. And I am called wise, for my hearers always imagine that I myself possess the wisdom which I find wanting in others: but the truth is, O men of Athens, that God only is wise; and by his answer he intends to show that the wisdom of men is worth little or nothing; he is not speaking of Socrates, he is only using my name by way of illustration, as if he said, He, O men, is the wisest, who, like Socrates, knows that his wisdom is in truth worth nothing. And so I go about the world, obedient to the god, and search and make enquiry into the wisdom of any one, whether citizen or stranger, who appears to be wise; and if he is not wise, then in vindication of the oracle I show him that he is not wise; and my occupation quite absorbs me, and I have no time to give either to any public matter of interest or to any concern of my own, but I am in utter poverty by reason of my devotion to the god.

There is another thing:— young men of the richer classes, who have not much to do, come about me of their own accord; they like to hear the pretenders examined, and they often imitate me, and proceed to examine others; there are plenty of persons, as they quickly discover, who think that they know something, but really know little or nothing; and then those who are examined by them instead of being angry with themselves are angry with me: This confounded Socrates, they say; this villainous misleader of youth! — And then if somebody asks them, why, what evil does he practice or teach? they do not know, and cannot tell; but in order that they may not appear to be at a loss, they repeat the ready-made charges which are used against all philosophers about teaching things up in the clouds and under the earth, and having no gods, and making the worse appear the better cause; for they do not like to confess that their pretense of knowledge has been detected — which is the truth; and as they are numerous and ambitious and energetic, and are drawn up in battle array and have persuasive tongues, they have filled your ears with their loud and inveterate calumnies. And this is the reason why my three accusers, Meletus and Anytus and Lycon, have set upon me; Meletus, who has a quarrel with me on behalf of the poets; Anytus, on behalf of the craftsmen and politicians; Lycon, on behalf of the rhetoricians: and as I said at the beginning, I cannot expect to get rid of such a mass of calumny all in a moment. And this, O men of Athens, is the truth and the whole truth; I have concealed nothing, I have dissembled nothing. And yet, I know that my plainness of speech makes them hate me, and what is their hatred but a proof that I am speaking the truth? — Hence has arisen the prejudice against me; and this is the reason of it, as you will find out either in this or in any future enquiry.

I have said enough in my defense against the first class of my accusers; I turn to the second class. They are headed by Meletus, that good man and true lover of his country, as he calls himself. Against these, too, I must try to make a defense:— Let their affidavit be read: it contains something of this kind: It says that Socrates is a doer of evil, who corrupts the youth; and who does not believe in the gods of the state, but has other new divinities of his own. Such is the charge; and now let us examine the particular counts. He says that I am a doer of evil, and corrupt the youth; but I say, O men of Athens, that Meletus is a doer of evil, in that he pretends to be in earnest when he is only in jest, and is so eager to bring men to trial from a pretended zeal and interest about matters in which he really never had the smallest interest. And the truth of this I will endeavor to prove to you.

Come hither, Meletus, and let me ask a question of you. You think a great deal about the improvement of youth?

Meletus: Yes, I do.

Socrates: Tell the judges, then, who is their improver; for you must know, as you have taken the pains to discover their corrupter, and are citing and accusing me before them. Speak, then, and tell the judges who their improver is. — Observe, Meletus, that you are silent, and have nothing to say. But is not this rather disgraceful, and a very considerable proof of what I was saying, that you have no interest in the matter? Speak up, friend, and tell us who their improver is.

Meletus: The laws.

Socrates: But that, my good sir, is not my meaning. I want to know who the person is, who, in the first place, knows the laws.

Meletus: The judges, Socrates, who are present in court.

Socrates: What, do you mean to say, Meletus, that they are able to instruct and improve youth?

Meletus: Certainly they are.

Socrates: What, all of them, or some only and not others?

Meletus: All of them.

Socrates: By the goddess Here, that is good news! There are plenty of improvers, then. And what do you say of the audience — do they improve them?

Meletus: Yes, they do.

Socrates: And the senators?

Meletus: Yes, the senators improve them.

Socrates: But perhaps the members of the assembly corrupt them? — Or do they too improve them?

Meletus: They improve them.

Socrates: Then every Athenian improves and elevates them; all with the exception of myself; and I alone am their corrupter? Is that what you affirm?

Meletus: That is what I stoutly affirm.

I am very unfortunate if you are right. But suppose I ask you a question: How about horses? Does one man do them harm and all the world good? Is not the exact opposite the truth? One man is able to do them good, or at least not many; — the trainer of horses, that is to say, does them good, and others who have to do with them rather injure them? Is not that true, Meletus, of horses, or of any other animals? Most assuredly it is; whether you and Anytus say yes or no. Happy indeed would be the condition of youth if they had one corrupter only, and all the rest of the world were their improvers. But you, Meletus, have sufficiently shown that you never had a thought about the young; your carelessness is seen in your not caring about the very things which you bring against me.

And now, Meletus, I will ask you another question — by Zeus I will: Which is better, to live among bad citizens, or among good ones? Answer, friend, I say; the question is one which may be easily answered. Do not the good do their neighbors good, and the bad do them evil?

Meletus: Certainly.

Socrates: And is there anyone who would rather be injured than benefited by those who live with him? Answer, my good friend, the law requires you to answer — does anyone like to be injured?

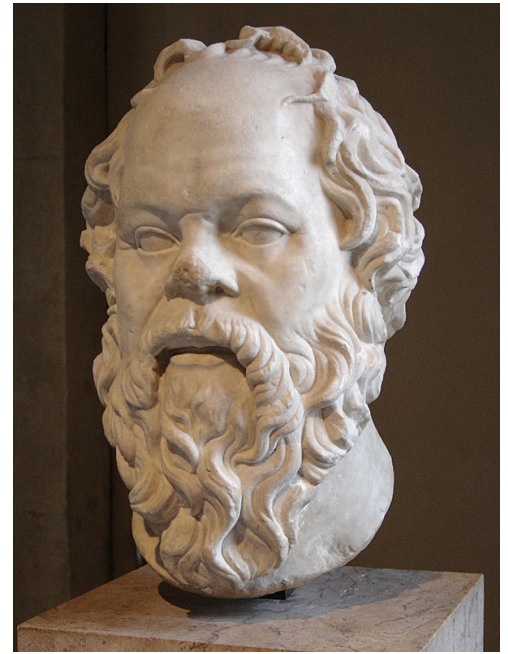
Meletus: Certainly not.

Socrates: And when you accuse me of corrupting and deteriorating the youth, do you allege that I corrupt them intentionally or unintentionally?

Meletus: Intentionally, I say.

Socrates: But you have just admitted that the good do their neighbors good, and the evil do them evil. Now, is that a truth which your superior wisdom has recognized thus early in life, and am I, at my age, in such darkness and ignorance as not to know that if a man with whom I have to live is corrupted by me, I am very likely to be harmed by him; and yet I corrupt him, and intentionally, too — so you say, although neither I nor any other human being is ever likely to be convinced by you. But either I do not corrupt them, or I corrupt them unintentionally; and on either view of the case you lie. If my offence is unintentional, the law has no cognizance of unintentional offences: you ought to have taken me privately, and warned and admonished me; for if I had been better advised, I should have left off doing what I only did unintentionally — no doubt I should; but you would have nothing to say to me and refused to teach me. And now you bring me up in this court, which is a place not of instruction, but of punishment.

It will be very clear to you, Athenians, as I was saying, that Meletus has no care at all, great or small, about the matter. But still I should like to know, Meletus, in what I am affirmed to corrupt the young. I suppose you mean, as I infer from your indictment,



that I teach them not to acknowledge the gods which the state acknowledges, but some other new divinities or spiritual agencies in their stead. These are the lessons by which I corrupt the youth, as you say.

Meletus: Yes, that I say emphatically.

Socrates: Then, by the gods, Meletus, of whom we are speaking, tell me and the court, in somewhat plainer terms, what you mean! for I do not as yet understand whether you affirm that I teach other men to acknowledge some gods, and therefore that I do believe in gods, and am not an entire atheist — this you do not lay to my charge — but only you say that they are not the same gods which the city recognizes — the charge is that they are different gods. Or, do you mean that I am an atheist simply, and a teacher of atheism?

Meletus: I mean the latter — that you are a complete atheist.

Socrates: What an extraordinary statement! Why do you think so, Meletus? Do you mean that I do not believe in the godhead of the sun or moon, like other men?

Meletus: I assure you, judges, that he does not: for he says that the sun is stone, and the moon earth.

Socrates: Friend Meletus, you think that you are accusing Anaxagoras: and you have but a bad opinion of the judges, if you fancy them illiterate to such a degree as not to know that these doctrines are found in the books of Anaxagoras the Clazomenian, which are full of them. And so, forsooth, the youth are said to be taught them by Socrates, when there are not unfrequently exhibitions of them at the theatre (Probably in allusion to Aristophanes who caricatured, and to Euripides who borrowed the notions of Anaxagoras, as well as to other dramatic poets.) (price of admission one drachma at the most); and they might pay their money, and laugh at Socrates if he pretends to father these extraordinary views. And so, Meletus, you really think that I do not believe in any god?

Meletus: I swear by Zeus that you believe absolutely in none at all.

Socrates: Nobody will believe you, Meletus, and I am pretty sure that you do not believe yourself. I cannot help thinking, men of Athens, that Meletus is reckless and impudent, and that he has written this indictment in a spirit of mere wantonness and youthful bravado. Has he not compounded a riddle, thinking to try me? He said to himself: — I shall see whether the wise Socrates will discover my facetious contradiction, or whether I shall be able to deceive him and the rest of them. For he certainly does appear to me to contradict himself in the indictment as much as if he said that Socrates is guilty of not believing in the gods, and yet of believing in them — but this is not like a person who is in earnest.

Socrates: I should like you, O men of Athens, to join me in examining what I conceive to be his inconsistency; and do you, Meletus, answer. And I must remind the audience of my request that they would not make a disturbance if I speak in my accustomed manner:

Did ever man, Meletus, believe in the existence of human things, and not of human beings? . . . I wish, men of Athens, that he would answer, and not be always trying to get up an interruption. Did ever any man believe in horsemanship, and not in horses? Or in flute-playing, and not in flute-players? No, my friend; I will answer to you and to the court, as you refuse to answer for yourself. There is no man who ever did. But now please to answer the next question: Can a man believe in spiritual and divine agencies, and not in spirits or demigods?

Meletus: He cannot.

Socrates: How lucky I am to have extracted that answer, by the assistance of the court! But then you swear in the indictment that I teach and believe in divine or spiritual agencies (new or old, no matter for that); at any rate, I believe in spiritual agencies — so you say and swear in the affidavit; and yet if I believe in divine beings, how can I help believing in spirits or demigods; — must I not? To be sure I must; and therefore I may assume that your silence gives consent. Now what are spirits or demigods? Are they not either gods or the sons of gods?

Meletus: Certainly they are.

Socrates: But this is what I call the facetious riddle invented by you: the demigods or spirits are gods, and you say first that I do not believe in gods, and then again that I do believe in gods; that is, if I believe in demigods. For if the demigods are the illegitimate sons of gods, whether by the nymphs or by any other mothers, of whom they are said to be the sons — what human being will ever believe that there are no gods if they are the sons of gods? You might as well affirm the existence of mules, and deny that of horses and asses. Such nonsense, Meletus, could only have been intended by you to make trial of me. You have put this into the indictment because you had nothing real of which to accuse me. But no one who has a particle of understanding will ever be convinced by you that the same men can believe in divine and superhuman things, and yet not believe that there are gods and demigods and heroes.

I have said enough in answer to the charge of Meletus: any elaborate defense is unnecessary, but I know only too well how many are the enmities which I have incurred, and this is what will be my destruction if I am destroyed; — not Meletus, nor yet Anytus, but the envy and detraction of the world, which has been the death of many good men, and will probably be the death of many more; there is no danger of my being the last of them.

Someone will say: And are you not ashamed, Socrates, of a course of life which is likely to bring you to an untimely end? To him I may fairly answer: There you are mistaken: a man who is good for anything ought not to calculate the chance of living or dying; he ought only to consider whether in doing anything he is doing right or wrong — acting the part of a good man or of a bad. Whereas, upon your view, the heroes who fell at Troy were not good for much, and the son of Thetis above all, who altogether despised danger in comparison with disgrace; and when he was so eager to slay Hector, his goddess mother said to him, that if he avenged his companion Patroclus, and slew Hector, he would die himself — ‘Fate,’ she said, in these or the like words, ‘waits for you next after Hector;’ he, receiving this warning, utterly despised danger and death, and instead of fearing them, feared rather to live in dishonor, and not to avenge his friend. ‘Let me die forthwith,’ he replies, ‘and be avenged of my enemy, rather than abide here by the beaked ships, a laughing-stock and a burden of the earth.’ Had Achilles any thought of death and danger? For wherever a man’s place is, whether the place which he has chosen or that in which he has been placed by a commander, there he ought to remain in the hour of danger; he should not think of death or of anything but of disgrace. And this, O men of Athens, is a true saying.

Strange, indeed, would be my conduct, O men of Athens, if I who, when I was ordered by the generals whom you chose to command me at Potidaea and Amphipolis and Delium, remained where they placed me, like any other man, facing death — if now, when, as I conceive and imagine, God orders me to fulfil the philosopher’s mission of searching into myself and other men, I were to desert my post through fear of death, or any other fear; that would indeed be strange, and I might justly be arraigned in court for denying the existence of the gods, if I disobeyed the oracle because I was afraid of death, fancying that I was wise when I was not wise. For the fear of death is indeed the pretense of wisdom, and not real wisdom, being a pretense of knowing the unknown; and no one knows whether death, which men in their fear apprehend to be the greatest evil, may not be the greatest good. Is not this ignorance of a disgraceful sort, the ignorance which is the conceit that a man knows what he does not know? And in this respect only I believe myself to differ from men in general, and may perhaps claim to be wiser than they are: — that whereas I know but little of the world below, I do not suppose that I know: but I do know that injustice and disobedience to a better, whether God or man, is evil and dishonorable, and I will never fear or avoid a possible good rather than a certain evil. And therefore if you let me go now, and are not convinced by Anytus, who said that since I had been prosecuted I must be put to death; (or if not that I ought never to have been prosecuted at all); and that if I escape now, your sons will all be utterly ruined by listening to my words — if you say to me, Socrates, this time we will not mind Anytus, and you shall be let off, but upon one condition, that you are not to enquire and speculate in this way anymore, and that if you are caught doing so again you shall die; — if this was the condition on which you let me go, I should reply: Men of Athens, I honor and love you; but I shall obey God rather than you, and while I have life and strength I shall never cease from the practice and teaching of philosophy, exhorting any one whom I meet and saying to him after my manner: You, my friend — a citizen of the great and mighty and wise city of Athens — are you not ashamed of heaping up the greatest amount of money and honor and reputation, and caring so little about wisdom and truth and the greatest improvement of the soul, which you never regard or heed at all? And if the person with whom I am arguing, says: Yes, but I do care; then I do not leave him or let him go at once; but I proceed to interrogate and examine and cross-examine him, and if I think that he has no virtue in him, but only says that he has, I reproach him with undervaluing the greater, and overvaluing the less. And I shall repeat the same words to every one whom I meet, young and old, citizen and alien, but especially to the citizens, inasmuch as they are my brethren. For know that this is the command of God; and I believe that no greater good has ever happened in the state than my service to the God. For I do nothing but go

about persuading you all, old and young alike, not to take thought for your persons or your properties, but first and chiefly to care about the greatest improvement of the soul. I tell you that virtue is not given by money, but that from virtue comes money and every other good of man, public as well as private. This is my teaching, and if this is the doctrine which corrupts the youth, I am a mischievous person. But if any one says that this is not my teaching, he is speaking an untruth. Wherefore, O men of Athens, I say to you, do as Anytus bids or not as Anytus bids, and either acquit me or not; but whichever you do, understand that I shall never alter my ways, not even if I have to die many times.

Men of Athens, do not interrupt, but hear me; there was an understanding between us that you should hear me to the end: I have something more to say, at which you may be inclined to cry out; but I believe that to hear me will be good for you, and therefore I beg that you will not cry out. I would have you know, that if you kill such one as I am, you will injure yourselves more than you will injure me. Nothing will injure me, not Meletus nor yet Anytus — they cannot, for a bad man is not permitted to injure a better than himself. I do not deny that Anytus may, perhaps, kill him, or drive him into exile, or deprive him of civil rights; and he may imagine, and others may imagine, that he is inflicting a great injury upon him: but there I do not agree. For the evil of doing as he is doing — the evil of unjustly taking away the life of another — is greater far.

And now, Athenians, I am not going to argue for my own sake, as you may think, but for yours, that you may not sin against the God by condemning me, who am his gift to you. For if you kill me you will not easily find a successor to me, who, if I may use such a ludicrous figure of speech, am a sort of gadfly, given to the state by God; and the state is a great and noble steed who is tardy in his motions owing to his very size, and requires to be stirred into life. I am that gadfly which God has attached to the state, and all day long and in all places am always fastening upon you, arousing and persuading and reproaching you. You will not easily find another like me, and therefore I would advise you to spare me. I dare say that you may feel out of temper (like a person who is suddenly awakened from sleep), and you think that you might easily strike me dead as Anytus advises, and then you would sleep on for the remainder of your lives, unless God in his care of you sent you another gadfly. When I say that I am given to you by God, the proof of my mission is this: — if I had been like other men, I should not have neglected all my own concerns or patiently seen the neglect of them during all these years, and have been doing yours, coming to you individually like a father or elder brother, exhorting you to regard virtue; such conduct, I say, would be unlike human nature. If I had gained anything, or if my exhortations had been paid, there would have been some sense in my doing so; but now, as you will perceive, not even the impudence of my accusers dares to say that I have ever exacted or sought pay of any one; of that they have no witness. And I have a sufficient witness to the truth of what I say — my poverty.

Someone may wonder why I go about in private giving advice and busying myself with the concerns of others, but do not venture to come forward in public and advise the state. I will tell you why. You have heard me speak at sundry times and in diverse places of an oracle or sign which comes to me, and is the divinity which Meletus ridicules in the indictment. This sign, which is a kind of voice, first began to come to me when I was a child; it always forbids but never commands me to do anything which I am going to do. This is what deters me from being a politician. And rightly, as I think. For I am certain, O men of Athens, that if I had engaged in politics, I should have perished long ago, and done no good either to you or to myself. And do not be offended at my telling you the truth: for the truth is, that no man who goes to war with you or any other multitude, honestly striving against the many lawless and unrighteous deeds which are done in a state, will save his life; he who will fight for the right, if he would live even for a brief space, must have a private station and not a public one.

I can give you convincing evidence of what I say, not words only, but what you value far more — actions. Let me relate to you a passage of my own life which will prove to you that I should never have yielded to injustice from any fear of death, and that 'as I should have refused to yield' I must have died at once. I will tell you a tale of the courts, not very interesting perhaps, but nevertheless true. The only office of state which I ever held, O men of Athens, was that of senator: the tribe Antiochis, which is my tribe, had the presidency at the trial of the generals who had not taken up the bodies of the slain after the battle of Arginusae; and you proposed to try them in a body, contrary to law, as you all thought afterwards; but at the time I was the only one of the Prytanes who was opposed to the illegality, and I gave my vote against you; and when the orators threatened to impeach and arrest me, and you called and shouted, I made up my mind that I would run the risk, having law and justice with me, rather than take part in your injustice because I feared imprisonment and death. This happened in the days of the democracy. But when the oligarchy of the Thirty was in power, they sent for me and four others into the rotunda, and bade us bring Leon the Salaminian from Salamis, as they wanted to put him to death. This was a specimen of the sort of commands which they were always giving with the view of implicating as many as possible in their crimes; and then I showed, not in word only but in

deed, that, if I may be allowed to use such an expression, I cared not a straw for death, and that my great and only care was lest I should do an unrighteous or unholy thing. For the strong arm of that oppressive power did not frighten me into doing wrong; and when we came out of the rotunda the other four went to Salamis and fetched Leon, but I went quietly home. For which I might have lost my life, had not the power of the Thirty shortly afterwards come to an end. And many will witness to my words.

Now do you really imagine that I could have survived all these years, if I had led a public life, supposing that like a good man I had always maintained the right and had made justice, as I ought, the first thing? No indeed, men of Athens, neither I nor any other man. But I have been always the same in all my actions, public as well as private, and never have I yielded any base compliance to those who are slanderously termed my disciples, or to any other. Not that I have any regular disciples. But if any one likes to come and hear me while I am pursuing my mission, whether he be young or old, he is not excluded. Nor do I converse only with those who pay; but any one, whether he be rich or poor, may ask and answer me and listen to my words; and whether he turns out to be a bad man or a good one, neither result can be justly imputed to me; for I never taught or professed to teach him anything. And if any one says that he has ever learned or heard anything from me in private which all the world has not heard, let me tell you that he is lying.

But I shall be asked, "Why do people delight in continually conversing with you?" I have told you already, Athenians, the whole truth about this matter: they like to hear the cross-examination of the pretenders to wisdom; there is amusement in it. Now this duty of cross-examining other men has been imposed upon me by God; and has been signified to me by oracles, visions, and in every way in which the will of divine power was ever intimated to anyone. This is true, O Athenians, or, if not true, would be soon refuted. If I am or have been corrupting the youth, those of them who are now grown up and have become sensible that I gave them bad advice in the days of their youth should come forward as accusers, and take their revenge; or if they do not like to come themselves, some of their relatives, fathers, brothers, or other kinsmen, should say what evil their families have suffered at my hands. Now is their time. Many of them I see in the court. There is Crito, who is of the same age and of the same deme with myself, and there is Critobulus his son, whom I also see. Then again there is Lysanias of Sphettus, who is the father of Aeschines — he is present; and also there is Antiphon of Cephissus, who is the father of Epigenes; and there are the brothers of several who have associated with me. There is Nicostratus the son of Theosdotides, and the brother of Theodotus (now Theodotus himself is dead, and therefore he, at any rate, will not seek to stop him); and there is Paralus the son of Demodocus, who had a brother Theages; and Adeimantus the son of Ariston, whose brother Plato is present; and Aeantodorus, who is the brother of Apollodorus, whom I also see. I might mention a great many others, some of whom Meletus should have produced as witnesses in the course of his speech; and let him still produce them, if he has forgotten — I will make way for him. And let him say, if he has any testimony of the sort which he can produce. Nay, Athenians, the very opposite is the truth. For all these are ready to witness on behalf of the corrupter, of the injurer of their kindred, as Meletus and Anytus call me; not the corrupted youth only — there might have been a motive for that — but their uncorrupted elder relatives. Why should they too support me with their testimony? Why, indeed, except for the sake of truth and justice, and because they know that I am speaking the truth, and that Meletus is a liar.

Well, Athenians, this and the like of this is all the defense which I have to offer. Yet a word more. Perhaps there may be someone who is offended at me, when he calls to mind how he himself on a similar, or even a less serious occasion, prayed and entreated the judges with many tears, and how he produced his children in court, which was a moving spectacle, together with a host of relations and friends; whereas I, who am probably in danger of my life, will do none of these things. The contrast may occur to his mind, and he may be set against me, and vote in anger because he is displeased at me on this account. Now if there be such a person among you — mind, I do not say that there is — to him I may fairly reply: My friend, I am a

man, and like other men, a creature of flesh and blood, and not 'of wood or stone,' as Homer says; and I have a family, yes, and sons, O Athenians, three in number, one almost a man, and two others who are still young; and yet I will not bring any of them hither in order to petition you for an acquittal. And why not? Not from any self-assertion or want of respect for you. Whether I am or am not afraid of death is another question, of which I will not now speak. But, having regard to public opinion, I feel that such conduct would be discreditable to myself, and to you, and to the whole state. One who has reached my years, and who has a name for wisdom, ought not to demean himself. Whether this opinion of me be deserved or not, at any rate the world has decided that Socrates is in some way superior to other men. And if those among you who are said to be superior in wisdom and courage, and any other virtue, demean themselves in this way, how shameful is their conduct! I have seen men of reputation,

when they have been condemned, behaving in the strangest manner: they seemed to fancy that they were going to suffer something dreadful if they died, and that they could be immortal if you only allowed them to live; and I think that such are a dishonor to the state, and that any stranger coming in would have said of them that the most eminent men of Athens, to whom the Athenians themselves give honor and command, are no better than women. And I say that these things ought not to be done by those of us who have a reputation; and if they are done, you ought not to permit them; you ought rather to show that you are far more disposed to condemn the man who gets up a doleful scene and makes the city ridiculous, than him who holds his peace.

But, setting aside the question of public opinion, there seems to be something wrong in asking a favor of a judge, and thus procuring an acquittal, instead of informing and convincing him. For his duty is, not to make a present of justice, but

to give judgment; and he has sworn that he will judge according to the laws, and not according to his own good pleasure; and we ought not to encourage you, nor should you allow yourselves to be encouraged, in this habit of perjury — there can be no piety in that. Do not then require me to do what I consider dishonorable and impious and wrong, especially now, when I am being tried for impiety on the indictment of Meletus. For if, O men of Athens, by force of persuasion and entreaty I could overpower your oaths, then I should be teaching you to believe that there are no gods, and in defending should simply convict myself of the charge of not believing in them. But that is not so — far otherwise. For I do believe that there are gods, and in a sense higher than that in which any of my accusers believe in them. And to you and to God I commit my cause, to be determined by you as is best for you and me.

After conducting a vote, the jury narrowly convicts Socrates and sentences him to death. Socrates addresses the jury afterwards.

There are many reasons why I am not grieved, O men of Athens, at the vote of condemnation. I expected it, and am only surprised that the votes are so nearly equal; for I had thought that the majority against me would have been far larger; but now, had thirty votes gone over to the other side, I should have been acquitted. And I may say, I think, that I have escaped Meletus. I may say more; for without the assistance of Anytus and Lycon, any one may see that he would not have had a fifth part of the votes, as the law requires, in which case he would have incurred a fine of a thousand drachmae.

And so he proposes death as the penalty. And what shall I propose on my part, O men of Athens? Clearly that which is my due. And what is my due? What return shall be made to the man who has never had the wit to be idle during his whole life; but has been careless of what the many care for — wealth, and family interests, and military offices, and speaking in the assembly, and magistracies, and plots, and

parties. Reflecting that I was really too honest a man to be a politician and live, I did not go where I could do no good to you or to myself; but where I could do the greatest good privately to every one of you, thither I went, and sought to persuade every man among you that he must look to himself, and seek virtue and wisdom before he looks to his private interests, and look to the state before he looks to the interests of the state; and that this should be the order which he observes in all his actions. What shall be done to such a one? Doubtless some good thing, O men of Athens, if he has his reward; and the good should be of a kind suitable to him. What would be a reward suitable to a poor man who is your benefactor, and who desires leisure that he may instruct you? There can be no reward so fitting as maintenance in the Prytaneum, O men of Athens, a reward which he deserves far more than the citizen who has won the prize at Olympia in the horse or chariot race, whether the chariots were drawn by two horses or by many. For I am in want, and he has enough; and he only gives you the appearance of happiness, and I give you the reality. And if I am to estimate the penalty fairly, I should say that maintenance in the Prytaneum is the just return.

Perhaps you think that I am braving you in what I am saying now, as in what I said before about the tears and prayers. But this is not so. I speak rather because I am convinced that I never intentionally wronged any one, although I cannot convince you — the time has been too short; if there were a law at Athens, as there is in other cities, that a capital cause should not be decided in one day, then I believe that I should have convinced you. But I cannot in a moment refute great slanders; and, as I am convinced that I never wronged another, I will assuredly not wrong myself. I will not say of myself that I deserve any evil, or propose any penalty. Why should I? because I am afraid of the penalty of death which Meletus proposes? When

I do not know whether death is a good or an evil, why should I propose a penalty which would certainly be an evil? Shall I say imprisonment? And why should I live in prison, and be the slave of the magistrates of the year — of the Eleven? Or shall the penalty be a fine, and imprisonment until the fine is paid? There is the same objection. I should have to lie in prison, for money I

have none, and cannot pay. And if I say exile (and this may possibly be the penalty which you will affix), I must indeed be blinded by the love of life, if I am so irrational as to expect that when you, who are my own citizens, cannot endure my discourses and words, and have found them so grievous and odious that you will have no more of them, others are likely to endure me. No indeed, men of Athens, that is not very likely. And what a life should I lead, at my age, wandering from city to city, ever changing my place of exile, and always being driven out! For I am quite sure that wherever I go, there, as here, the young men will flock to me; and if I drive them away, their elders will drive me out at their request; and if I let them come, their fathers and friends will drive me out for their sakes.

Someone will say: Yes, Socrates, but cannot you hold your tongue, and then you may go into a foreign city, and no one will interfere with you? Now I have great difficulty in making you understand my answer to this. For if I tell you that to do as you say would be a disobedience to the God, and therefore that I cannot hold my tongue, you will not believe that I am serious; and if I say again that daily to discourse about virtue, and of those other things about which you hear me examining myself and others, is the greatest good of man, and that the unexamined life is not worth living, you are still less likely to believe me. Yet I say what is true, although a thing of which it is hard for me to persuade you. Also, I have never been accustomed to think that I deserve to suffer any harm. Had I money I might have estimated the offense at what I was able to pay, and not have been much the worse. But I have none, and therefore I must ask you to proportion the fine to my means.

Well, perhaps I could afford a mina, and therefore I propose that penalty: Plato, Crito, Critobulus, and Apollodorus, my friends here, bid me say thirty minae, and they will be the sureties. Let thirty minae be the penalty; for which sum they will be ample security to you.

Not much time will be gained, O Athenians, in return for the evil name which you will get from the detractors of the city, who will say that you killed Socrates, a wise man; for they will call me wise, even although I am not wise, when they want to reproach you. If you had waited a little while, your desire would have been fulfilled in the course of nature. For I am far advanced in years, as you may perceive, and not far from death. I am speaking now not to all of you, but only to those who have condemned me to death. And I have another thing to say to them: you think that I was convicted because I had no words of the sort which would have procured my acquittal — I mean, if I had thought fit to leave nothing undone or unsaid. Not so; the deficiency which led to my conviction was not of words — certainly not. But I had not the boldness or impudence or inclination to address you as you would have liked me to do, weeping and wailing and lamenting, and saying and doing many things which you have been accustomed to hear from others, and which, as I maintain, are unworthy of me. I thought at the time that I ought not to do anything common or mean when in danger: nor do I now repent of the style of my defense; I would rather die having spoken after my manner, than speak in your manner and live. For neither in war nor yet at law ought I or any man to use every way of escaping death. Often in battle there can be no doubt that if a man will throw away his arms, and fall on his knees before his pursuers, he may escape death; and in other dangers there are other ways of escaping death, if a man is willing to say and do anything. The difficulty, my friends, is not to avoid death, but to avoid unrighteousness; for that runs faster than death. I am old and move slowly, and the slower runner has overtaken me, and my accusers are keen and quick, and the faster runner, who is unrighteousness, has overtaken them. And now I depart hence condemned by you to suffer the penalty of death — they too go their ways condemned by the truth to suffer the penalty of villainy and wrong; and I must abide by my award — let them abide by theirs. I suppose that these things may be regarded as fated — and I think that they are well.

And now, O men who have condemned me, I would fain prophesy to you; for I am about to die, and in the hour of death men are gifted with prophetic power. And I prophesy to you who are my murderers, that immediately after my departure punishment far heavier than you have inflicted on me will surely await you. Me you have killed because you wanted to escape the accuser, and not to give an account of your lives. But that will not be as you suppose: far otherwise. For I say that there will be more accusers of you than there are now; accusers whom hitherto I have restrained: and as they are younger they will be more inconsiderate with you, and you will be more offended at them. If you think that by killing men you can prevent someone from censuring your evil lives, you are mistaken; that is not a way of escape which is either possible or honorable; the easiest and the noblest way is not to be disabling others, but to be improving yourselves. This is the prophecy which I utter before my departure to the judges who have condemned me.

Friends, who would have acquitted me, I would like also to talk with you about the thing which has come to pass, while the magistrates are busy, and before I go to the place at which I must die. Stay then a little, for we may as well talk with one another while there is time. You are my friends, and I should like to show you the meaning of this event which has happened to me. O

my judges — for you I may truly call judges — I should like to tell you of a wonderful circumstance. Hitherto the divine faculty of which the internal oracle is the source has constantly been in the habit of opposing me even about trifles, if I was going to make a slip or error in any matter; and now as you see there has come upon me that which may be thought, and is generally believed to be, the last and worst evil. But the oracle made no sign of opposition, either when I was leaving my house in the morning, or when I was on my way to the court, or while I was speaking, at anything which I was going to say; and yet I have often been stopped in the middle of a speech, but now in nothing I either said or did touching the matter in hand has the oracle opposed me. What do I take to be the explanation of this silence? I will tell you. It is an intimation that what has happened to me is a good, and that those of us who think that death is an evil are in error. For the customary sign would surely have opposed me had I been going to evil and not to good.

Let us reflect in another way, and we shall see that there is great reason to hope that death is a good; for one of two things — either death is a state of nothingness and utter unconsciousness, or, as men say, there is a change and migration of the soul from this world to another. Now if you suppose that there is no consciousness, but a sleep like the sleep of him who is undisturbed even by dreams, death will be an unspeakable gain. For if a person were to select the night in which his sleep was undisturbed even by dreams, and were to compare with this the other days and nights of his life, and then were to tell us how many days and nights he had passed in the course of his life better and more pleasantly than this one, I think that any man, I will not say a private man, but even the great king will not find many such days or nights, when compared with the others. Now if death be of such a nature, I say that to die is gain; for eternity is then only a single night. But if death is the journey to another place, and there, as men say, all the dead abide, what good, O my friends and judges, can be greater than this? If indeed when the pilgrim arrives in the world below, he is delivered from the professors of justice in this world, and finds the true judges who are said to give judgment there, Minos and Rhadamanthus and Aeacus and Triptolemus, and other sons of God who were righteous in their own life, that pilgrimage will be worth making. What would not a man give if he might converse with Orpheus and Musaeus and Hesiod and Homer? Nay, if this be true, let me die again and again. I myself, too, shall have a wonderful interest in there meeting and conversing with Palamedes, and Ajax the son of Telamon, and any other ancient hero who has suffered death through an unjust judgment; and there will be no small pleasure, as I think, in comparing my own sufferings with theirs. Above all, I shall then be able to continue my search into true and false knowledge; as in this world, so also in the next; and I shall find out who is wise, and who pretends to be wise, and is not. What would not a man give, O judges, to be able to examine the leader of the great Trojan expedition; or Odysseus or Sisyphus, or numberless others, men and women too! What infinite delight would there be in conversing with them and asking them questions! In another world they do not put a man to death for asking questions: assuredly not. For besides being happier than we are, they will be immortal, if what is said is true.

Wherefore, O judges, be of good cheer about death, and know of a certainty, that no evil can happen to a good man, either in life or after death. He and his are not neglected by the gods; nor has my own approaching end happened by mere chance. But I see clearly that the time had arrived when it was better for me to die and be released from trouble; wherefore the oracle gave no sign. For which reason, also, I am not angry with my condemners, or with my accusers; they have done me no harm, although they did not mean to do me any good; and for this I may gently blame them.

Still I have a favor to ask of them. When my sons are grown up, I would ask you, O my friends, to punish them; and I would have you trouble them, as I have troubled you, if they seem to care about riches, or anything, more than about virtue; or if they pretend to be something when they are really nothing — then reprove them, as I have reprovèd you, for not caring about that for which they ought to care, and thinking that they are something when they are really nothing. And if you do this, both I and my sons will have received justice at your hands.

The hour of departure has arrived, and we go our ways — I to die, and you to live. Which is better God only knows.



CRITO DIALOGUE

THE LAST DAYS OF SOCRATES

PLATO
390 BC

After Socrates conviction, there were opportunities to escape in self-exile to spare himself of execution.

Socrates friend, Crito, comes to his cell to encourage the condemned philosopher to leave Athens and teach elsewhere.

Socrates responds with a discussion of the ethics of his decision to stay and the responsibilities of citizenship.

Socrates: Why have you come at this hour, Crito? It must be quite early.

Crito: Yes, certainly.

Socrates: What is the exact time?

Crito: The dawn is breaking.

Socrates: I wonder the keeper of the prison would let you in.

Crito: He knows me because I often come, Socrates; moreover. I have done him a kindness.

Socrates: And are you only just come?

Crito: No, I came some time ago.

Socrates: Then why did you sit and say nothing, instead of awakening me at once?

Crito: Why, indeed, Socrates, I myself would rather not have all this sleeplessness and sorrow. But I have been wondering at your peaceful slumbers, and that was the reason why I did not awaken you, because I wanted you to be out of pain. I have always thought you happy in the calmness of your temperament; but never did I see the like of the easy, cheerful way in which you bear this calamity.

Socrates: Why, Crito, when a man has reached my age he ought not to be repining at the prospect of death.

Crito: And yet other old men find themselves in similar misfortunes, and age does not prevent them from repining.

Socrates: That may be. But you have not told me why you come at this early hour.

Crito: I come to bring you a message which is sad and painful; not, as I believe, to yourself but to all of us who are your friends, and saddest of all to me.

Socrates: What! I suppose that the ship has come from Delos, on the arrival of which I am to die?

Crito: No, the ship has not actually arrived, but she will probably be here today, as persons who have come from Sunium tell me that they have left her there; and therefore to-morrow, Socrates, will be the last day of your life.

Socrates: Very well, Crito; if such is the will of God, I am willing; but my belief is that there will be a delay of a day.

Crito: Why do you say this?

Socrates: I will tell you. I am to die on the day after the arrival of the ship?

Crito: Yes; that is what the authorities say.

Socrates: But I do not think that the ship will be here until tomorrow; this I gather from a vision which I had last night, or rather only just now, when you fortunately allowed me to sleep.

Crito: And what was the nature of the vision?

Socrates: There came to me the likeness of a woman, fair and comely, clothed in white raiment, who called to me and said: O Socrates-

"The third day hence, to Phthia shalt thou go."

Crito: What a singular dream, Socrates!

Socrates: There can be no doubt about the meaning Crito, I think.

Crito: Yes: the meaning is only too clear. But, O! my beloved Socrates, let me entreat you once more to take my advice and escape. For if you die I shall not only lose a friend who can never be replaced, but there is another evil: people who do not know you and me will believe that I might have saved you if I had been willing to give money, but that I did not care. Now, can there be a worse disgrace than this- that I should be thought to value money more than the life of a friend? For the many will not be persuaded that I wanted you to escape, and that you refused.

Socrates: But why, my dear Crito, should we care about the opinion of the many? Good men, and they are the only persons who are worth considering, will think of these things truly as they happened.

Crito: But do you see. Socrates, that the opinion of the many must be regarded, as is evident in your own case, because they can do the very greatest evil to anyone who has lost their good opinion?

Socrates: I only wish, Crito, that they could; for then they could also do the greatest good, and that would be well. But the truth is, that they can do neither good nor evil: they cannot make a man wise or make him foolish; and whatever they do is the result of chance.

Crito: Well, I will not dispute about that; but please to tell me, Socrates, whether you are not acting out of regard to me and your other friends: are you not afraid that if you escape hence we may get into trouble with the informers for having stolen you away, and lose either the whole or a great part of our property; or that even a worse evil may happen to us? Now, if this is your fear, be at ease; for in order to save you, we ought surely to run this or even a greater risk; be persuaded, then, and do as I say.

Socrates: Yes, Crito, that is one fear which you mention, but by no means the only one.

Crito: Fear not. There are persons who at no great cost are willing to save you and bring you out of prison; and as for the informers, you may observe that they are far from being exorbitant in their demands; a little money will satisfy them. My means, which, as I am sure, are ample, are at your service, and if you have a scruple about spending all mine, here are strangers who will give you the use of theirs; and one of them, Simmias the Theban, has brought a sum of money for this very purpose; and Cebes and many others are willing to spend their money too.

I say, therefore, do not on that account hesitate about making your escape, and do not say, as you did in the court, that you will have a difficulty in knowing what to do with yourself if you escape. For men will love you in other places to which you may go, and not in Athens only; there are friends of mine in Thessaly, if you like to go to them, who will value and protect you, and no Thessalian will give you any trouble. Nor can I think that you are justified, Socrates, in betraying your own life when you might be saved; this is playing into the hands of your enemies and destroyers; and moreover I should say that you were betraying

your children; for you might bring them up and educate them; instead of which you go away and leave them, and they will have to take their chance; and if they do not meet with the usual fate of orphans, there will be small thanks to you. No man should bring children into the world who is unwilling to persevere to the end in their nurture and education.

But you are choosing the easier part, as I think, not the better and manlier, which would rather have become one who professes virtue in all his actions, like yourself. And, indeed, I am ashamed not only of you, but of us who are your friends, when I reflect that this entire business of yours will be attributed to our want of courage. The trial need never have come on, or might have been brought to another issue; and the end of all, which is the crowning absurdity, will seem to have been permitted by us, through cowardice and baseness, who might have saved you, as you might have saved yourself, if we had been good for anything (for there was no difficulty in escaping); and we did not see how disgraceful, Socrates, and also miserable all this will be to us as well as to you.

Make your mind up then, or rather have your mind already made up, for the time of deliberation is over, and there is only one thing to be done, which must be done, if at all, this very night, and which any delay will render all but impossible; I beseech you therefore, Socrates, to be persuaded by me, and to do as I say.

Socrates: Dear Crito, your zeal is invaluable, if a right one; but if wrong, the greater the zeal the greater the evil; and therefore we ought to consider whether these things shall be done or not. For I am and always have been one of those natures who must be guided by reason, whatever the reason may be which upon reflection appears to me to be the best; and now that this fortune has come upon me, I cannot put away the reasons which I have before given: the principles which I have hitherto honored and revered I still honor, and unless we can find other and better principles on the instant, I am certain not to agree with you; no, not even if the power of the multitude could inflict many more imprisonments, confiscations, deaths, frightening us like children with hobgoblin terrors.

But what will be the fairest way of considering the question? Shall I return to your old argument about the opinions of men, some of which are to be regarded, and others, as we were saying, are not to be regarded? Now were we right in maintaining this before I was condemned? And has the argument which was once good now proved to be talk for the sake of talking; in fact an amusement only, and altogether vanity?

That is what I want to consider with your help, Crito: whether, under my present circumstances, the argument appears to be in any way different or not; and is to be allowed by me or disallowed. That argument, which, as I believe, is maintained by many who assume to be authorities, was to the effect, as I was saying, that the opinions of some men are to be regarded, and of other men not to be regarded.

Now you, Crito, are a disinterested person who are not going to die tomorrow- at least, there is no human probability of this, and you are therefore not liable to be deceived by the circumstances in which you are placed. Tell me, then, whether I am right in saying that some opinions, and the opinions of some men only, are to be valued, and other opinions, and the opinions of other men, are not to be valued. I ask you whether I was right in maintaining this?

Crito: Certainly.

Socrates: The good are to be regarded, and not the bad?

Crito: Yes.

Socrates: And the opinions of the wise are good, and the opinions of the unwise are evil?

Crito: Certainly.

Socrates: And what was said about another matter? Was the disciple in gymnastics supposed to attend to the praise and blame and opinion of every man, or of one man only- his physician or trainer, whoever that was?

Crito: Of one man only.

Socrates: And he ought to fear the censure and welcome the praise of that one only, and not of the many?

Crito: That is clear.



THE DEATH OF SOCRATES BY JACQUES LOUIS DAVID, 1787

Socrates: And he ought to live and train, and eat and drink in the way which seems good to his single master who has understanding, rather than according to the opinion of all other men put together?

Crito: True.

Socrates: And if he disobeys and disregards the opinion and approval of the one, and regards the opinion of the many who have no understanding, will he not suffer evil?

Crito: Certainly he will.

Socrates: And what will the evil be, whither tending and what affecting, in the disobedient person?

Crito: Clearly, affecting the body; that is what is destroyed by the evil.

Socrates: Very good; and is not this true, Crito, of other things which we need not separately enumerate? In the matter of just and unjust, fair and foul, good and evil, which are the subjects of our present consultation, ought we to follow the opinion of the many and to fear them; or the opinion of the one man who has understanding, and whom we ought to fear and reverence more than all the rest of the world: and whom deserting we shall destroy and injure that principle in us which may be assumed to be improved by justice and deteriorated by injustice; is there not such a principle?

Crito: Certainly there is, Socrates.

Socrates: Take a parallel instance; if, acting under the advice of men who have no understanding, we destroy that which is improvable by health and deteriorated by disease- when that has been destroyed, I say, would life be worth having? And that is - the body?

Crito: Yes.

Socrates: Could we live, having an evil and corrupted body?

Crito: Certainly not.

Socrates: And will life be worth having, if that higher part of man be depraved, which is improved by justice and deteriorated by injustice? Do we suppose that principle, whatever it may be in man, which has to do with justice and injustice, to be inferior to the body?

Crito: Certainly not.

Socrates: More honored, then?

Crito: Far more honored.

Socrates: Then, my friend, we must not regard what the many say of us: but what he, the one man who has understanding of just and unjust, will say, and what the truth will say. And therefore you begin in error when you suggest that we should regard the opinion of the many about just and unjust, good and evil, honorable and dishonorable. Well, someone will say, "But the many can kill us."

Crito: Yes, Socrates; that will clearly be the answer.

Socrates: That is true; but still I find with surprise that the old argument is, as I conceive, unshaken as ever. And I should like to know Whether I may say the same of another proposition- that not life, but a good life, is to be chiefly valued?

Crito: Yes, that also remains.

Socrates: And a good life is equivalent to a just and honorable one- that holds also?

Crito: Yes, that holds.

Socrates: From these premises I proceed to argue the question whether I ought or ought not to try to escape without the consent of the Athenians: and if I am clearly right in escaping, then I will make the attempt; but if not, I will abstain. The other considerations which you mention, of money and loss of character, and the duty of educating children, are, I fear, only the doctrines of the multitude, who would be as ready to call people to life, if they were able, as they are to put them to death- and with as little reason. But now, since the argument has thus far prevailed, the only question which remains to be considered is, whether we shall do rightly either in escaping or in suffering others to aid in our escape and paying them in money and thanks, or whether we shall not do rightly; and if the latter, then death or any other calamity which may ensue on my remaining here must not be allowed to enter into the calculation.

Crito: I think that you are right, Socrates; how then shall we proceed?

Socrates: Let us consider the matter together, and do you either refute me if you can, and I will be convinced; or else cease, my dear friend, from repeating to me that I ought to escape against the wishes of the Athenians: for I am extremely desirous to be persuaded by you, but not against my own better judgment. And now please to consider my first position, and do your best to answer me.

Crito: I will do my best.

Socrates: Are we to say that we are never intentionally to do wrong, or that in one way we ought and in another way we ought not to do wrong, or is doing wrong always evil and dishonorable, as I was just now saying, and as has been already acknowledged by us? Are all our former admissions which were made within a few days to be thrown away? And have we, at our age, been earnestly discoursing with one another all our life long only to discover that we are no better than children? Or are we to rest assured, in spite of the opinion of the many, and in spite of consequences whether better or worse, of the truth of what was then said, that injustice is always an evil and dishonor to him who acts unjustly? Shall we affirm that?

Crito: Yes.

Socrates: Then we must do no wrong?

Crito: Certainly not.

Socrates: Nor when injured injure in return, as the many imagine; for we must injure no one at all?

Crito: Clearly not.

Socrates: Again, Crito, may we do evil?

Crito: Surely not, Socrates.

Socrates: And what of doing evil in return for evil, which is the morality of the many-is that just or not?

Crito: Not just.

Socrates: For doing evil to another is the same as injuring him?

Crito: Very true.

Socrates: Then we ought not to retaliate or render evil for evil to anyone, whatever evil we may have suffered from him. But I would have you consider, Crito, whether you really mean what you are saying. For this opinion has never been held, and never will be held, by any considerable number of persons; and those who are agreed and those who are not agreed upon this point have no common ground, and can only despise one another, when they see how widely they differ. Tell me, then, whether you agree with and assent to my first principle, that neither injury nor retaliation nor warding off evil by evil is ever right. And shall that be the premise of our agreement? Or do you decline and dissent from this? For this has been of old and is still my opinion; but, if you are of another opinion, let me hear what you have to say. If, however, you remain of the same mind as formerly, I will proceed to the next step.

Crito: You may proceed, for I have not changed my mind.

Socrates: Then I will proceed to the next step, which may be put in the form of a question: Ought a man to do what he admits to be right, or ought he to betray the right?

Crito: He ought to do what he thinks right.

Socrates: But if this is true, what is the application? In leaving the prison against the will of the Athenians, do I wrong any? or rather do I not wrong those whom I ought least to wrong? Do I not desert the principles which were acknowledged by us to be just? What do you say?

Crito: I cannot tell, Socrates, for I do not know.

Socrates: Then consider the matter in this way: Imagine that I am about to play truant (you may call the proceeding by any name which you like), and the laws and the government come and interrogate me: "Tell us, Socrates," they say; "what are you about? are you going by an act of yours to overturn us- the laws and the whole State, as far as in you lies? Do you imagine that a State can subsist and not be overthrown, in which the decisions of law have no power, but are set aside and overthrown by individuals?" What will be our answer, Crito, to these and the like words? Anyone, and especially a clever rhetorician, will have a good deal to urge about the evil of setting aside the law which requires a sentence to be carried out; and we might reply, "Yes; but the State has injured us and given an unjust sentence." Suppose I say that?

Crito: Very good, Socrates.

Socrates: "And was that our agreement with you?" the law would say, "or were you to abide by the sentence of the State?" And if I were to express astonishment at their saying this, the law would probably add: "Answer, Socrates, instead of opening your eyes: you are in the habit of asking and answering questions. Tell us what complaint you have to make against us which justifies you in attempting to destroy us and the State? In the first place did we not bring you into existence? Your father married your mother by our aid and begat you. Say whether you have any objection to urge against those of us who regulate marriage?" None, I should reply. "Or against those of us who regulate the system of nurture and education of children in which you were trained? Were not the laws, who have the charge of this, right in commanding your father to train you in music and gymnastic?" Right, I should reply. "Well, then, since you were brought into the world and nurtured and educated by us, can you deny in the first place that you are our child and slave, as your fathers were before you? And if this is true you are not on equal terms with us; nor can you think that you have a right to do to us what we are doing to you. Would you have any right to strike or revile or do any other evil to a father or to your master, if you had one, when you have been struck or reviled by him, or received some other evil at his hands?- you would not say this? And because we think right to destroy you, do you think that you have any right to destroy us in return, and your country as far as in you lies? And will you, O professor of true virtue, say that you are justified in this? Has a philosopher like you failed to discover that our country is more to be valued and higher and holier far than mother or father or any ancestor, and more to be regarded in the eyes of the gods and of men of understanding? also to be

soothed, and gently and reverently entreated when angry, even more than a father, and if not persuaded, obeyed? And when we are punished by her, whether with imprisonment or stripes, the punishment is to be endured in silence; and if she leads us to wounds or death in battle, thither we follow as is right; neither may anyone yield or retreat or leave his rank, but whether in battle or in a court of law, or in any other place, he must do what his city and his country order him; or he must change their view of what is just: and if he may do no violence to his father or mother, much less may he do violence to his country." What answer shall we make to this, Crito? Do the laws speak truly, or do they not?

Crito: I think that they do.

Socrates: Then the laws will say: "Consider, Socrates, if this is true, that in your present attempt you are going to do us wrong. For, after having brought you into the world, and nurtured and educated you, and given you and every other citizen a share in every good that we had to give, we further proclaim and give the right to every Athenian, that if he does not like us when he has come of age and has seen the ways of the city, and made our acquaintance, he may go where he pleases and take his goods with him; and none of us laws will forbid him or interfere with him. Any of you who does not like us and the city, and who wants to go to a colony or to any other city, may go where he likes, and take his goods with him. But he who has experience of the manner in which we order justice and administer the State, and still remains, has entered into an implied contract that he will do as we command him. And he who disobeys us is, as we maintain, thrice wrong: first, because in disobeying us he is disobeying his parents; secondly, because we are the authors of his education; thirdly, because he has made an agreement with us that he will duly obey our commands; and he neither obeys them nor convinces us that our commands are wrong; and we do not rudely impose them, but give him the alternative of obeying or convincing us; that is what we offer and he does neither. These are the sort of accusations to which, as we were saying, you, Socrates, will be exposed if you accomplish your intentions; you, above all other Athenians." Suppose I ask, why is this? they will justly retort upon me that I above all other men have acknowledged the agreement. "There is clear proof," they will say, "Socrates, that we and the city were not displeasing to you. Of all Athenians you have been the most constant resident in the city, which, as you never leave, you may be supposed to love. For you never went out of the city either to see the games, except once when you went to the Isthmus, or to any other place unless when you were on military service; nor did you travel as other men do. Nor had you any curiosity to know other States or their laws: your affections did not go beyond us and our State; we were your especial favorites, and you acquiesced in our government of you; and this is the State in which you begat your children, which is a proof of your satisfaction. Moreover, you might, if you had liked, have fixed the penalty at banishment in the course of the trial-the State which refuses to let you go now would have let you go then. But you pretended that you preferred death to exile, and that you were not grieved at death. And now you have forgotten these fine sentiments, and pay no respect to us, the laws, of whom you are the destroyer; and are doing what only a miserable slave would do, running away and turning your back upon the compacts and agreements which you made as a citizen. And first of all answer this very question: Are we right in saying that you agreed to be governed according to us in deed, and not in word only? Is that true or not?" How shall we answer that, Crito? Must we not agree?

Crito: There is no help, Socrates.

Socrates: Then will they not say: "You, Socrates, are breaking the covenants and agreements which you made with us at your leisure, not in any haste or under any compulsion or deception, but having had seventy years to think of them, during which time you were at liberty to leave the city, if we were not to your mind, or if our covenants appeared to you to be unfair. You had your choice, and might have gone either to Lacedaemon or Crete, which you often praise for their good government, or to some other Hellenic or foreign State. Whereas you, above all other Athenians, seemed to be so fond of the State, or, in other words, of us her laws (for who would like a State that has no laws?), that you never stirred out of her: the halt, the blind, the maimed, were not more stationary in her than you were. And now you run away and forsake your agreements. Not so, Socrates, if you will take our advice; do not make yourself ridiculous by escaping out of the city.

"For just consider, if you transgress and err in this sort of way, what good will you do, either to yourself or to your friends? That your friends will be driven into exile and deprived of citizenship, or will lose their property, is tolerably certain; and you yourself, if you fly to one of the neighboring cities, as, for example, Thebes or Megara, both of which are well-governed cities, will come to them as an enemy, Socrates, and their government will be against you, and all patriotic citizens will cast an evil eye upon you as a subverter of the laws, and you will confirm in the minds of the judges the justice of their own condemnation of you. For he who is a corrupter of the laws is more than likely to be corrupter of the young and foolish portion of mankind. Will

you then flee from well-ordered cities and virtuous men? and is existence worth having on these terms? Or will you go to them without shame, and talk to them, Socrates? And what will you say to them? What you say here about virtue and justice and institutions and laws being the best things among men? Would that be decent of you? Surely not. But if you go away from well-governed States to Crito's friends in Thessaly, where there is great disorder and license, they will be charmed to have the tale of your escape from prison, set off with ludicrous particulars of the manner in which you were wrapped in a goatskin or some other disguise, and metamorphosed as the fashion of runaways is- that is very likely; but will there be no one to remind you that in your old age you violated the most sacred laws from a miserable desire of a little more life? Perhaps not, if you keep them in a good temper; but if they are out of temper you will hear many degrading things; you will live, but how?- as the flatterer of all men, and the servant of all men; and doing what?- eating and drinking in Thessaly, having gone abroad in order that you may get a dinner. And where will be your fine sentiments about justice and virtue then? Say that you wish to live for the sake of your children, that you may bring them up and educate them- will you take them into Thessaly and deprive them of Athenian citizenship? Is that the benefit which you would confer upon them? Or are you under the impression that they will be better cared for and educated here if you are still alive, although absent from them; for that your friends will take care of them? Do you fancy that if you are an inhabitant of Thessaly they will take care of them, and if you are an inhabitant of the other world they will not take care of them? Nay; but if they who call themselves friends are truly friends, they surely will.

"Listen, then, Socrates, to us who have brought you up. Think not of life and children first, and of justice afterwards, but of justice first, that you may be justified before the princes of the world below. For neither will you nor any that belong to you be happier or holier or juster in this life, or happier in another, if you do as Crito bids. Now you depart in innocence, a sufferer and not a doer of evil; a victim, not of the laws, but of men. But if you go forth, returning evil for evil, and injury for injury, breaking the covenants and agreements which you have made with us, and wronging those whom you ought least to wrong, that is to say, yourself, your friends, your country, and us, we shall be angry with you while you live, and our brethren, the laws in the world below, will receive you as an enemy; for they will know that you have done your best to destroy us. Listen, then, to us and not to Crito."

This is the voice which I seem to hear murmuring in my ears, like the sound of the flute in the ears of the mystic; that voice, I say, is humming in my ears, and prevents me from hearing any other. And I know that anything more which you will say will be in vain. Yet speak, if you have anything to say.

Crito: I have nothing to say, Socrates.

Socrates: Then let me follow the intimations of the will of God.



ALLEGORY OF THE CAVE

THE REPUBLIC, BOOK VII

PLATO

360 BCE
ATHENS

As one of the most famous metaphors in Western history, the "Allegory of the Cave" asks readers to reflect on a hypothetical scenario where prisoners were only exposed to images projected on the wall through shadows.

To clarify, Plato wrote The Republic in a fictional narrative between Socrates and various Athenians - in this case Glaucon.

"Next, then," I said, "take the following parable of education and ignorance as a picture of the condition of our nature. Imagine mankind as dwelling in an underground cave with a long entrance open to the light across the whole width of the cave; in this they have been from childhood, with necks and legs fettered, so they have to stay where they are. They cannot move their heads round because of the fetters, and they can only look forward, but light comes to them from fire burning behind them higher up at a distance. Between the fire and the prisoners is a road above their level, and along it imagine a low wall has been built, as puppet showmen have screens in front of their people over which they work their puppets."

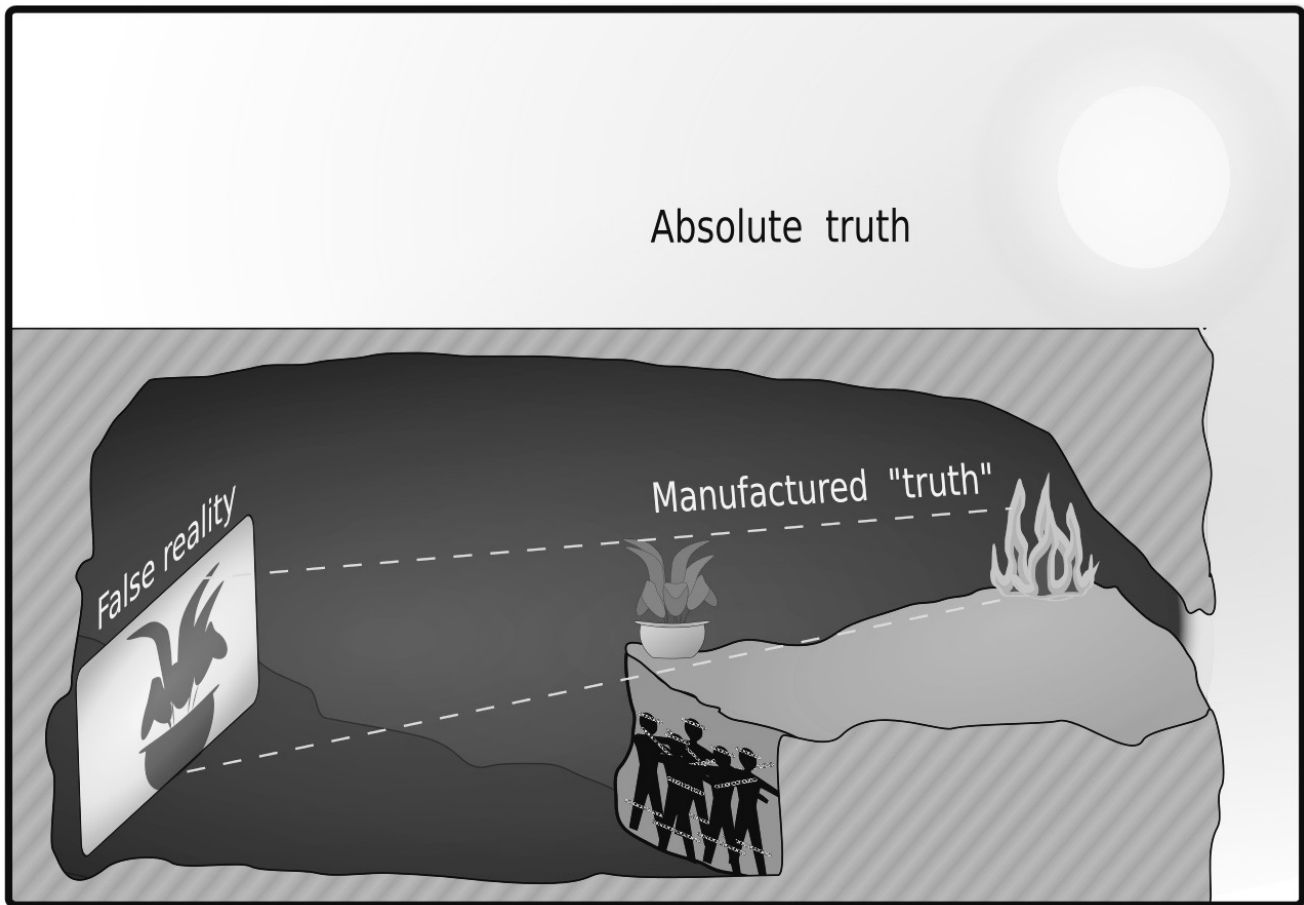
"I see," he said.

"See, then, bearers carrying along this wall all sorts of articles which they hold projecting above the wall, statues of men and other living things, made of stone or wood and all kinds of stuff, some of the bearers speaking and some silent, as you might expect."

"What a remarkable image," he said, "and what remarkable prisoners!" "Just like ourselves," I said.

"For, first of all, tell me this: What do you think such people would have seen of themselves and each other except their shadows, which the fire cast on the opposite wall of the cave?"

"I don't see how they could see anything else," said he, "if they were compelled to keep their heads unmoving all their lives!"



"Very well, what of the things being carried along? Would not this be the same?"

"Of course it would."

"Suppose the prisoners were able to talk together. Don't you think that when they named the shadows which they saw passing they would believe they were naming things?"

"Necessarily."

"Then if their prison had an echo from the opposite wall, whenever one of the passing bearers uttered a sound, would they not suppose that the passing shadow must be making the sound? Don't you think so?"

"Indeed I do," he said.

"If so," said I, "such persons would certainly believe that there were no realities except those shadows of handmade things."

"So it must be," said he.

"Now consider," said I, "what their release would be like, and their cure from these fetters and their folly; let us imagine whether it might naturally be something like this. One might be released, and compelled suddenly to stand up and turn his neck round, and to walk and look towards the firelight; all this would hurt him, and he would be too much dazzled to see distinctly those things whose shadows he had seen before. What do you think he would say, if someone told him that what he saw before was foolery, but now he saw more rightly, being a bit nearer reality and turned towards what was a little more real? What if he were shown each of the passing things, and compelled by questions to answer what each one was? Don't you think he would be puzzled, and believe what he saw before was more true than what was shown to him?"

"Far more," he said.

“Then suppose he were compelled to look towards the real light, it would hurt his eyes, and he would escape by turning them away to the things which he was able to look at, and these he would believe to be clearer than what was being shown to him.”

“Just so,” said he.

“Suppose, now,” said I, “that someone should drag him thence by force, up the rough ascent, the steep way up, and never stop until he could drag him out into the light of the sun, would he not be distressed and furious at being dragged; and when he came into the light, the brilliance would fill his eyes and he would not be able to see even one of the things now called real?”

“That he would not,” said he, “all of a sudden.”

“He would have to get used to it, surely, I think, if he is to see the things above. First he would most easily look at shadows, after that images of mankind and the rest in water, lastly the things themselves. After this he would find it easier to survey by night the heavens themselves and all that is in them, gazing at the light of the stars and moon, rather than by day the sun and the sun’s light.”

“Of course.”

“Last of all, I suppose, the sun; he could look on the sun itself by itself in its own place, and see what it is like, not reflections of it in water or as it appears in some alien setting.”

Necessarily,” said he.

“And only after all this he might reason about it, how this is he who provides seasons and years, and is set over all there is in the visible region, and he is in a manner the cause of all things which they say.”

“Yes, it is clear,” said he, “that after all that, he would come to this last.”

“Very good. Let him be reminded of this first habitation, and what was wisdom in that place, and of his fellow-prisoners there; don’t you think he would bless himself for the change, and pity them?”

“Yes, indeed.”

“And if there were honors and praises among them and prizes for the one who saw the passing things most sharply and remembered best which of them used to come before and which after and which together, and from these was best able to prophesy accordingly what was going to come—do you believe he would set his desire on that, and envy those who were honored men or potentates among them? Would he not feel as Homer says,² and heartily desire rather to be serf of some landless man on earth and to endure anything in the world, rather than to opine as they did and to live in that way?”

“Yes indeed,” said he, “he would rather accept anything than live like that.”

“Then again,” I said, “just consider; if such a one should go down again and sit on his old seat, would he not get his eyes full of darkness coming in suddenly out of the sun?”

“Very much so,” said he.

“And if he should have to compete with those who had been always prisoners, by laying down the law about those shadows while he was blinking before his eyes were settled down—and it would take a good long time to get used to things—wouldn’t they all laugh at him and say he had spoiled his eyesight by going up there, and it was not worthwhile so much as to try to go up? And would they not kill anyone who tried to release them and take them up, if they could somehow lay hands on him and kill him?”

“That they would!” said he.

“Then we must apply this image, my dear Glaucon,” said I, “to all we have been saying. The world of our sight is like the habitation in prison, the firelight there to the sunlight here, the ascent and the view of the upper world is the rising of the soul into the world of mind; put it so and you will not be far from my own surmise, since that is what you want to hear; but God knows if it is really true. At least, what appears to me is, that in the world of the known, last of all, is the idea of the good, and with what

toil to be seen! And seen, this must be inferred to be the cause of all right and beautiful things for all, which gives birth to light and the king of light in the world of sight, and, in the world of mind, herself the queen produces truth and reason; and she must be seen by one who is to act with reason publicly or privately."

"I believe as you do," he said, "in so far as I am able."

"Then believe also, as I do," said I, "and do not be surprised, that those who come thither are not willing to have part in the affairs of men, but their souls ever strive to remain above; for that surely may be expected if our parable fits the case."

"Quite so," he said. "Well then," said I, "do you think it surprising if one leaving divine contemplations and passing to the evils of men is awkward and appears to be a great fool, while he is still blinking—not yet accustomed to the darkness around him, but compelled to struggle in law courts and elsewhere about shadows of justice, or the images which make the shadows, and to quarrel about notions of justice in those who have never seen justice itself?"

"Not surprising at all," said he.

"But any man of sense," I said, "would remember that the eyes are doubly confused from two different causes, both in passing from light to darkness and from darkness to light; and believing that the same things happen with regard to the soul also, whenever he sees a soul confused and unable to discern anything he would not just laugh carelessly; he would examine whether it had come out of a more brilliant life, and if it were darkened by the strangeness; or whether it had come out of greater ignorance into a more brilliant light, and if it were dazzled with the brighter illumination. Then only would he congratulate the one soul upon its happy experience and way of life, and pity the other; but if he must laugh, his laugh would be a less downright laugh than his laughter at the soul which came out of the light above."

"That is fairly put," said he.

"Then if this be true," I said, "our belief about these matters must be this, that the nature of education is not really such as some of its professors say it is; as you know, they say that if there is not understanding in the soul, but they put it in, as if they were putting sight into the blind."

"They do say so," said he.

"But our reasoning indicates," I said, "that this power is already in the soul of each, and is the instrument by which each learns; thus if the eye could not see without being turned with the whole body from the dark toward the light, so this instrument must be turned round with the whole soul away from the world of becoming until it is able to endure the sight of being and the most brilliant light of being; and this we say is good, don't we?"

"Yes."

"Then this instrument," said I, "must have its own art, for the circumturning or conversion, to show how the turn can be most easily and successfully made; not an art of putting sight into an eye, which we say has it already, but since the instrument has not been turned aright and does not look where it ought to look—that's what must be managed."

"So it seems," he said.

"Now most of the virtues which are said to belong to the soul are really something near to those of the body; for in fact they are not already there, but they are put later into it by habits and practices; but the virtue of understanding everything really belongs to something certainly more divine, as it seems, for it never loses its power, but becomes useful and helpful or, again, useless and harmful, but the direction in which it is turned. Have you not noticed men who are called worthless but clever, and how keen and sharp is the sight of their petty soul; and how it sees through the things towards which it is turned? Its sight is clear enough, but it is compelled to be the servant of vice, so the clearer it sees the more evil it does."

"Certainly," said he.

"Yet if this part of such a nature," said I, "had been hammered at from childhood, and all those leaden weights of the world of becoming knocked off—the weights, I mean, which grow into his soul from gorging and gluttony and such pleasures, and twist the soul's eye downwards—if, I say, it had shaken these off and been turned round towards what is real and true, that same in-

strument of those same men would have seen those higher things most clearly, just as now it sees those towards which it is turned." "Quite likely," said he. "Very well," said I, "isn't it equally likely, indeed, necessary, after what has been said, that men who are uneducated and without experience of truth could never properly supervise a city, nor can those who are allowed to spend all their lives in education right to the end? The first have no single object in life, which they must always aim at in doing everything they do, public or private; the second will never do anything if they can help it, believing they have already found mansions abroad in the Islands of the Blest."⁴

"True," said he.

"Then it is the task of us founders," I said, "to compel the best natures to attain that learning which we said was the greatest, both to see the good, and to ascend that ascent; and when they have ascended and properly seen, we must never allow them what is allowed now."

"What is that?"

"To stay there," I said, "and not be willing to descend again to those prisoners, and to share their troubles and their honors, whether they are worth having or not."

"What!" he said, "are we to wrong them and make them live badly, when they might live better?"

"You have forgotten again, my friend," said I, "that the law is not concerned how any one class in a city is to prosper above the rest; it tries to contrive prosperity in the city as a whole, fitting the citizens into a pattern by persuasion and compulsion, making them give of their help to one another wherever each class is able to help the community. The law itself creates men like this in the city, not in order to allow each one to turn by any way he likes, but in order to use them itself to the full for binding the city together."

"True," said he, "I did forget."

"Notice then, Glaucon," I said, "we shall not wrong the philosophers who grow up among us, but we shall treat them fairly when we compel them to add to their duties the care and guardianship of the other people. We shall tell them that those who grow up philosophers in other cities have reason in taking no part in public labors there; for they grow up there of themselves, though none of the city governments wants them: a wild growth has its rights, it owes nurture to no one, and need not trouble to pay anyone for its food. But you we have engendered, like king bees⁵ in hives, as leaders and kings over yourselves and the rest of the city; you have been better and more perfectly educated than the others, and are better able to share in both ways of life. Down you must go then, in turn, to the habitation of the others, and accustom yourselves to their darkness; for when you have grown accustomed you will see a thousand times better than those who live there, and you will know what the images are and what they are images of, because you have seen the realities behind just and beautiful and good things. And so our city will be managed wide awake for us and for you, not in a dream, as most are now, by people fighting together for shadows, and quarreling to be rulers, as if that were a great good. But the truth is more or less that the city where those who rule are least eager to be rulers is of necessity best managed and has least faction in it, while the city which gets rulers who want it most is worst managed."

"Certainly," said he.

"Then will our fosterlings disobey us when they hear this? Will they refuse to help, each group in its turn, in the labors of the city, and want to spend most of their time dwelling in the pure air?"

"Impossible," said he, "for we shall only be laying just commands on just men. No, undoubtedly each man of them will go to the ruler's place as to a grim necessity, exactly the opposite of those who now rule in cities."

"For the truth is, my friend," I said, "that you will only have a well-managed city if you can find for your future rulers a way of life better than ruling; since only in that city will those who rule be truly rich, not rich in gold, but in that which is necessary for a happy man, the riches of a good and wise life."



THE PHILOSOPHER KING THE REPUBLIC, BOOK VI

PLATO

360 BCE
ATHENS

After his mentor's execution, Plato became disenchanted with Athenian democracy. In The Republic, Plato outlines his vision of an ideal political leader - the Philosopher-King.

Like the "Allegory of the Cave," this passage is a fictional conversation between Socrates and Glaucon.

Socrates: Inasmuch as philosophers only are able to grasp the eternal and unchangeable, and those who wander in the region of the many and variable are not philosophers, I must ask you which of the two classes should be the rulers of our State?

Glaucon: And how can we rightly answer that question?

Socrates: Whichever of the two are best able to guard the laws and institutions of our State--let them be our guardians.

Glaucon: Very good.

Socrates: Neither, I said, can there be any question that the guardian who is to keep anything should have eyes rather than no eyes?

Glaucon: There can be no question of that.

Socrates: And are not those who are verily and indeed wanting in the knowledge of the true being of each thing, and who have in their souls no clear pattern, and are unable as with a painter's eye to look at the absolute truth and to that original to repair, and having perfect vision of the other world to order the laws about beauty, goodness, justice in this, if not already ordered, and to guard and preserve the order of them--are not such persons, I ask, simply blind?

Glaucon: Truly, he replied, they are much in that condition.

Socrates: And shall they be our guardians when there are others who, besides being their equals in experience and falling short of them in no particular of virtue, also know the very truth of each thing?

Glaucon: There can be no reason, he said, for rejecting those who have this greatest of all great qualities; they must always have the first place unless they fail in some other respect.

Socrates: Suppose, then, I said, that we determine how far they can unite this and the other excellences.

Glaucon: By all means.

Socrates: In the first place, as we began by observing, the nature of the philosopher has to be ascertained. We must come to an understanding about him, and, when we have done so, then, if I am not mistaken, we shall also acknowledge that such a union of qualities is possible, and that those in whom they are united, and those only, should be rulers in the State.

Glaucon: What do you mean?

Socrates: Let us suppose that philosophical minds always love knowledge of a sort which shows them the eternal nature not varying from generation and corruption.

Glaucon: Agreed.

Socrates: And further, I said, let us agree that they are lovers of all true being; there is no part whether greater or less, or more or less honorable, which they are willing to renounce; as we said before of the lover and the man of ambition.

Glaucon: True.

Socrates: And if they are to be what we were describing, is there not another quality which they should also possess?

Glaucon: What quality?

Socrates: Truthfulness: they will never intentionally receive into their minds falsehood, which is their detestation, and they will love the truth.

Glaucon: Yes, that may be safely affirmed of them.

Socrates: "Maybe." my friend, I replied, is not the word; say rather, "must be affirmed:" for he whose nature is amorous of anything cannot help loving all that belongs or is akin to the object of his affections.

Glaucon: Right, he said.

Socrates: And is there anything more akin to wisdom than truth?

Glaucon: How can there be?

Socrates: Can the same nature be a lover of wisdom and a lover of falsehood?

Glaucon: Never.

Socrates: The true lover of learning then must from his earliest youth, as far as in him lies, desire all truth?

Glaucon: Assuredly.

Socrates: But then again, as we know by experience, he whose desires are strong in one direction will have them weaker in others; they will be like a stream which has been drawn off into another channel.

Glaucon: True.

Socrates: He whose desires are drawn toward knowledge in every form will be absorbed in the pleasures of the soul, and will hardly feel bodily pleasure--I mean, if he be a true philosopher and not a sham one.

Glaucon: That is most certain.

Socrates: Such a one is sure to be temperate and the reverse of covetous; for the motives which make another man desirous of having and spending, have no place in his character.

Glaucon: Very true.

Socrates: Another criterion of the philosophical nature has also to be considered.

Glaucon: What is that?

Socrates: There should be no secret corner of illiberality; nothing can be more antagonistic than meanness to a soul which is ever longing after the whole of things both divine and human.

Glaucon: Most true, he replied.

Socrates: Then how can he who has magnificence of mind and is the spectator of all time and all existence, think much of human life?

Glaucon: He cannot.

Socrates: Or can such a one account death fearful?

Glaucon: No, indeed.

Socrates: Then the cowardly and mean nature has no part in true philosophy?

Glaucou: Certainly not.

Socrates: Or again: can he who is harmoniously constituted, who is not covetous or mean, or a boaster, or a coward--can he, I say, ever be unjust or hard in his dealings?

Glaucou: Impossible.

Socrates: Then you will soon observe whether a man is just and gentle, or rude and unsociable; these are the signs which distinguish even in youth the philosophical nature from the unphilosophical.

Glaucou: True.

Socrates: There is another point which should be remarked.

Glaucou: What point?

Socrates: Whether he has or has not a pleasure in learning; for no one will love that which gives him pain, and in which after much toil he makes little progress.

Glaucou: Certainly not.

Socrates: And again, if he is forgetful and retains nothing of what he learns, will he not be an empty vessel?

Glaucou: That is certain.

Socrates: Laboring in vain, he must end in hating himself and his fruitless occupation?

Glaucou: Yes.

Socrates: Then a soul which forgets cannot be ranked among genuine philosophic natures; we must insist that the philosopher should have a good memory?

Glaucou: Certainly.

Socrates: And once more, the inharmonious and unseemly nature can only tend to disproportion?

Glaucou: Undoubtedly.

Socrates: And do you consider truth to be akin to proportion or to disproportion?

Glaucou: To proportion.

Socrates: Then, besides other qualities, we must try to find a naturally well- proportioned and gracious mind, which will move spontaneously toward the true being of everything.

Glaucou: Certainly.

Socrates: Well, and do not all these qualities, which we have been enumerating, go together, and are they not, in a manner, necessary to a soul, which is to have a full and perfect participation of being?

Glaucou: They are absolutely necessary, he replied.

Socrates: And must not that be a blameless study which he only can pursue who has the gift of a good memory, and is quick to learn--noble, gracious, the friend of truth, justice, courage, temperance, who are his kindred?

Glaucou: The god of jealousy himself, he said, could find no fault with such a study.

Socrates: And to men like him, I said, when perfected by years and education, and to these only you will entrust the State.



THE POLITICS

ARISTOTLE

350 BCE
ATHENS

Aristotle would carry the legacy of Socrates and Plato through his teaching and writing. The tutor of Alexander the Great wrote his most famous book, The Politics, as a wide-ranging review of government responsibilities.

The excerpts included review different forms of government, the relationship between government and families, and the ideal education for citizens.

Book I:

Our purpose is to consider what form of political community is best of all for those who are most able to realize their ideal of life. Three alternatives are conceivable: The members of a state must either have (1) all things or (2) nothing in common, or (3) some things in common and some not. That they should have nothing in common is clearly impossible, for the constitution is a community, and must at any rate have a common place---one city will be in one place, and the citizens are those who share in that one city. But should a well ordered state have all things, as far as may be, in common, or some only and not others? For the citizens might conceivably have wives and children and property in common, as Socrates proposes in the Republic of Plato.

Which is better, our present condition, or the proposed new order of society?

Should the citizens of the perfect state have their possessions in common or not? Three cases are possible: (1) the soil may be appropriated, but the produce may be thrown for consumption into the common stock; this is the practice of some nations. Or (2), the soil may be common, and may be cultivated in common, but the produce divided among individuals for their private use; this is a form of common property which is said to exist among certain barbarians. Or the soil and the produce may be alike common. When the farmers are not the owners, the case will be different and easier to deal with; but when they till the ground for themselves the question of ownership will give a world of trouble. If they do not share equally enjoyments and toils, those who labor much and get little will necessarily

complain of those who labor little and receive or consume much. These are only some of the disadvantages which attend the community of property; the present arrangement, if improved as it might be by good customs and laws, would be far better.

Property should be in a certain sense common, but, as a general rule, private; for, when everyone has a distinct interest, men will not complain of one another, and they will make more progress, because every one will be attending to his own business. And yet by reason of goodness, and in respect of use, 'Friends,' as the proverb says, "will have all things common." Even now there are traces. For, although every man has his own property, some things he will place at the disposal of his friends, while of others he shares the use with them. Again, how immeasurably greater is the pleasure, when a man feels a thing to be his own; for surely the love of self is a feeling implanted by nature and not given in vain, although selfishness is rightly censured. No one, when men have all things in common, will any longer set an example of liberality or do any liberal action; for liberality consists in the use which is made of property. Such legislation may have a specious appearance of benevolence; men readily listen to it, and are easily induced to believe that in some wonderful manner everybody will become everybody's friend, especially when some one is heard denouncing the evils now existing in states, suits about contracts, convictions for perjury, flatteries of rich men and the like, which are said to arise out of the possession of private property.

These evils, however, are due to a very different cause---the wickedness of human nature.

Book III:

He who would inquire into the essence and attributes of various kinds of governments must first of all determine "What is a state?" A state is composite, like any other whole made up of many parts; these are the citizens, who compose it. It is evident, therefore, that we must begin by asking, who is the citizen, and what is the meaning of the term? For here again there may be a difference of opinion. He who is a citizen in a democracy will often not be a citizen in an oligarchy. Leaving out of consideration those who have been made citizens, or who have obtained the name of citizen any other accidental manner, we may say, first, that a citizen is not a citizen because he lives in a certain place, for resident aliens and slaves share in the place; nor is he a citizen who has no legal right except that of suing and being sued; for this right may be enjoyed under the provisions of a treaty. But the citizen whom we are seeking to define is a citizen in the strictest sense, against whom no such exception can be taken, and his special characteristic is that he shares in the administration of justice, and in offices. He who has the power to take part in the deliberative or judicial administration of any state is said by us to be a citizen of that state; and, speaking generally, a state is a body of citizens sufficing for the purposes of life.

Like the sailor, the citizen is a member of a community. Now, sailors have different functions, for one of them is a rower, another a pilot, and a third a look-out man...Similarly, one citizen differs from another, but the salvation of the community is the common business of them all. This community is the constitution; the virtue of the citizen must therefore be relative to the constitution of which he is a member. A constitution is the arrangement of magistracies in a state, especially of the highest of all. The government is everywhere sovereign in the state, and the constitution is in fact the government. For example, in democracies the people are supreme, but in oligarchies, the few; and, therefore, we say that these two forms of government also are different: and so in other cases.

First, let us consider what is the purpose of a state, and how many forms of government there are by which human society is regulated. We have already said, in the first part of this treatise, when discussing household management and the rule of a master, that man is by nature a political animal. And therefore, men, even when they do not require one another's help, desire to live together; not but that they are also brought together by their common interests in proportion as they severally attain to any measure of well-being.

This is certainly the chief end, both of individuals and of states. And also for the sake of mere life (in which there is possibly some noble element so long as the evils of existence do not greatly overbalance the good) mankind meet together and maintain the political community....

The words constitution and government have the same meaning, and the of one, or of a few, or of the many. The true forms of government, therefore, are those in which the one, or the few, or the many, govern with a view to the common interest; but governments which rule with a view to the private interest, whether of the one or of the few, or of the many, are perversions. Of forms of government in which one rules, we call that which regards the common interests, monarchy; that in which more than one, but not many, rule, aristocracy (and it is so called, either because the rulers are the best men, or because they have at heart the best interests of the state and of the citizens). But when the citizens at large administer the state for the common interest, the government is called a polity. And there is a reason for this use of language.

Of the above-mentioned forms, the perversions are as follows: of monarchy, tyranny; of aristocracy, oligarchy; of polity, democracy. For tyranny is a kind of monarchy which has in view the interest of the monarch only; oligarchy has in view the interest of the wealthy; democracy, of the needy: none of them the common good of all. Tyranny, as I was saying, is monarchy exercising the rule of a master over the political society; oligarchy is when men of property have the government in their hands; democracy, the opposite, when the indigent, and not the men of property, are the rulers....Then ought the good to rule and have supreme power? But in that case everybody else, being excluded from power, will be dishonored. For the offices of a state are posts of honor; and if one set of men always holds them, the rest must be deprived of them. Then will it be well that the one best man should rule? Nay, that is still more oligarchical, for the number of those who are dishonored is thereby increased....The discussion of the first question shows nothing so clearly as that laws, when good, should be supreme; and that the magistrate or magistrates should regulate those matters only on which the laws are unable to speak with precision owing to the difficulty of any general principle embracing all particulars.



Book VII:

Now it is evident that the form of government is best in which every man, whoever he is, can act best and live happily....If we are right in our view, and happiness is assumed to be virtuous activity, the active life will be the best, both for every city collectively, and for individuals. In what remains the first point to be considered is what should be the conditions of the ideal or perfect state; for the perfect state cannot exist without a due supply of the means of life...In size and extent it should be such as may enable the inhabitants to live at once temperately and liberally in the enjoyment of leisure. And so states require property, but property, even though living beings are included in it, is no part of a state; for a state is not a community of living beings only, but a community of equals, aiming at the best life possible.

Let us then enumerate the functions of a state, and we shall easily elicit what we want: First, there must be food; secondly, arts, for life requires many instruments; thirdly, there must be arms, for the members of a community have need of them, and in their own hands, too, in order to maintain authority both against disobedient subjects and against external assailants; fourthly, there must be a certain amount of revenue, both for internal needs, and for the purposes of war; fifthly, or rather first, there must be a care of religion which is commonly called worship; sixthly, and most necessary of all there must be a power of deciding what is for the public interest, and what is just in men's dealings with one another. These are the services which every state may be said to need. For a state is not a mere aggregate of persons, but a union of them sufficing for the purposes of life; and if any of these things be wanting, it is as we maintain impossible that the community can be absolutely self-sufficing. A state then should be

framed with a view to the fulfillment of these functions. There must be farmers to procure food, and artisans, and a warlike and a wealthy class, and priests, and judges to decide what is necessary and expedient.

Now, since we are here speaking of the best form of government, i.e., that under which the state will be most happy (and happiness, as has been already said, cannot exist without virtue), it clearly follows that in the state which is best governed and possesses men who are just absolutely, and not merely relatively to the principle of the constitution, the citizens must not lead the life of mechanics or tradesmen, for such a life is ignoble, and inimical to virtue. Neither must they be farmers, since leisure is necessary both for the development of virtue and the performance of political duties. Again, there is in a state a class of warriors, and another of councillors, who advise about the expedient and determine matters of law, and these seem in an especial manner parts of a state. Now, should these two classes be distinguished, or are both functions to be assigned to the same persons? It remains therefore that both functions should be entrusted by the ideal constitution to the same persons, not, however, at the same time, but in the order prescribed by nature, who has given to young men strength and to older men wisdom. Besides, the ruling class should be the owners of property, for they are citizens, and the citizens of a state should be in good circumstances; whereas mechanics or any other class which is not a producer of virtue have no share in the state.

Since every political society is composed of rulers and subjects let us consider whether the relations of one to the other should interchange or be permanent. For the education of the citizens will necessarily vary with the answer given to this question. Now, if some men excelled others in the same degree in which gods and heroes are supposed to excel mankind in general, so that the superiority of the governors was undisputed and patent to their subjects, it would clearly be better that the one class should rule and the other serve. But since this is unattainable, and kings have no marked superiority over their subjects, such as Scylax affirms to be found among the Indians, it is obviously necessary on many grounds that all the citizens alike should take their turn of governing and being governed. Equality consists in the same treatment of similar persons, and no government can stand which is not founded upon justice....

We conclude that from one point of view governors and governed are identical, and from another different. And therefore their education must be the same and also different. For he who would learn to command well must, as men say, first of all learn to obey....Since the end of individuals and of states is the same, the end of the best man and of the best constitution must also be the same; it is therefore evident that there ought to exist in both of them the virtues of leisure; for peace, as has been often repeated, is the end of war, and leisure of toil. But leisure and cultivation may be promoted, not only by those virtues which are practiced in leisure, but also by some of those which are useful to business. For many necessities of life have to be supplied before we can have leisure. Therefore a city must be temperate and brave, and able to endure: for truly, as the proverb says, "There is no leisure for slaves," and those who cannot face danger like men are the slaves of any invader.

Since the legislator should begin by considering how the frames of the children whom he is rearing may be as good as possible, his first care will be about marriage---at what age should his citizens marry, and who are fit to marry? The union of male and female when too young is bad for the procreation of children; it also conduces to temperance not to marry too soon; for women who marry early are apt to be wanton; and in men too the bodily frame is stunted if they marry while the seed is growing (for there is a time when the growth of the seed, also, ceases, or continues to but a slight extent). Women should marry when they are about eighteen years of age, and men at seven and thirty; then they are in the prime of life, and the decline in the powers of both will coincide. The constitution of an athlete is not suited to the life of a citizen, or to health, or to the procreation of children, any more than the valetudinarian or exhausted constitution, but one which is in a mean between them. A man's constitution should be inured to labor, but not to labor which is excessive or of one sort only, such as is practiced by athletes; he should be capable of all the actions of a freeman.

These remarks apply equally to both parents. Women who are with child should be careful of themselves; they should take exercise and have a nourishing diet. Their minds, however, unlike their bodies, they ought to keep quiet, for the offspring derive

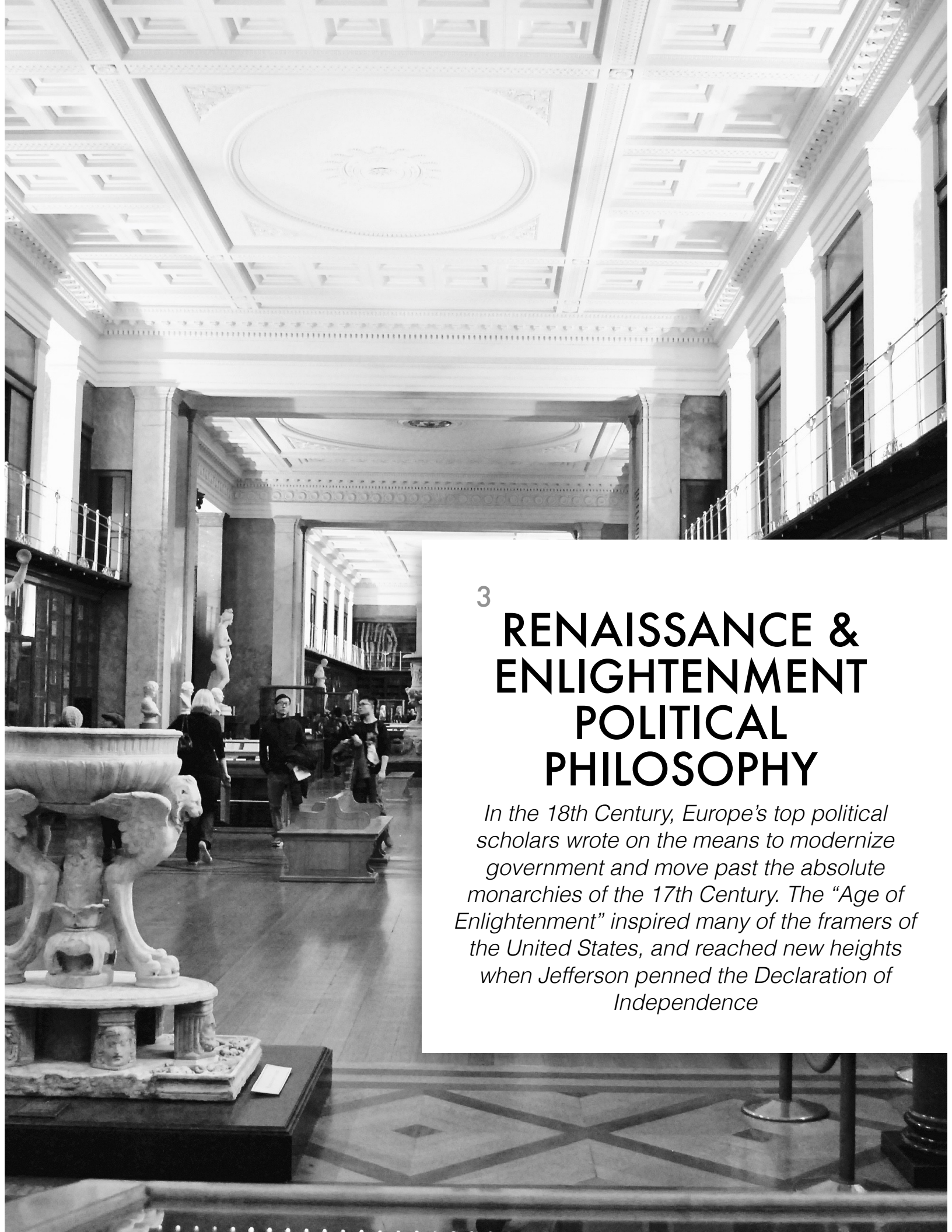
their natures from their mothers as plants do from the earth. As to adultery, let it be held disgraceful, in general, for any man or woman to be found in any way unfaithful when they are married, and called husband and wife.

As to the exposure and rearing of children, let there be a law that no deformed child shall live, but that on the ground of an excess in the number of children, if the established customs of the state forbid this (for in our state population has a limit), no child is to be exposed, but when couples have children in excess, let abortion be procured before sense and life have begun.

The Directors of Education, as they are termed, should be careful what tales or stories the children hear, for all such things are designed to prepare the way for the business of later life, and should be for the most part imitations of the occupations which they will hereafter pursue in earnest. Indeed, there is nothing which the legislator should be more careful to drive away than indecency of speech; for the light utterance of shameful words leads soon to shameful actions. The young especially should never be allowed to repeat or hear anything of the sort. And since we do not allow improper language, clearly we should also banish pictures or speeches from the stage which are indecent. Let the rulers take care that there be no image or picture representing unseemly actions, except in the temples of those Gods at whose festivals the law permits even ribaldry, and whom the law also permits to be worshiped by persons of mature age on behalf of themselves, their children, and their wives. And therefore youth should be kept strangers to all that is bad, and especially to things which suggest vice or hate.

Book VIII:

The citizen should be molded to suit the form of government under which he lives. And since the whole city has one end, it is manifest that education should be one and the same for all, and that it should be public, and not private. Neither must we suppose that any one of the citizens belongs to himself, for they all belong to the state, and are each of them a part of the state, and the care of each part is inseparable from the care of the whole. The customary branches of education are in number four; they are---(1) reading and writing, (2) gymnastic exercises, (3) music, to which is sometimes added (4) drawing. Of these, reading and writing and drawing are regarded as useful for the purposes of life in a variety of ways, and gymnastic exercises are thought to infuse courage. Concerning music a doubt may be raised.---in our own day most men cultivate it for the sake of pleasure, but originally it was included in education, because nature herself, as has been often said, requires that we should be able, not only to work well, but to use leisure well; for, what ought we to do when at leisure? Clearly we ought not to be amusing ourselves, for then amusement would be the end of life. But if this is inconceivable, we should introduce amusements only at suitable times, and they should be our medicines, for the emotion which they create in the soul is a relaxation, and from the pleasure we obtain rest.....



3

RENAISSANCE & ENLIGHTENMENT POLITICAL PHILOSOPHY

In the 18th Century, Europe's top political scholars wrote on the means to modernize government and move past the absolute monarchies of the 17th Century. The "Age of Enlightenment" inspired many of the framers of the United States, and reached new heights when Jefferson penned the Declaration of Independence



THE PRINCE

NICCOLO MACHIAVELLI

1513
FLORENCE, TUSCANY

In the heart of the Italian Renaissance, the Medici Family reigned over the kingdom of Tuscany. In this dangerous and cut-throat society, Machiavelli wrote a guidebook for monarchs that focused on what we now call "realpolitik."

While Plato and Socrates called on politicians to strive act on ideals, Machiavelli insists on pragmatic approaches that deal with the complexities of the leader's situation.

Chapter XVII Concerning Cruelty and Clemency, and Whether it is Better to be Loved than Feared

Coming now to the other qualities mentioned above, I say that every prince ought to desire to be considered clement and not cruel. Nevertheless he ought to take care not to misuse this clemency. Cesare Borgia was considered cruel; notwithstanding, his cruelty reconciled the Romagna, unified it, and restored it to peace and loyalty. And if this be rightly considered, he will be seen to have been much more merciful than the Florentine people, who, to avoid a reputation for cruelty, permitted Pistoia to be destroyed.¹ Therefore a prince, so long as he keeps his subjects united and loyal, ought not to mind the reproach of cruelty; because with a few examples he will be more merciful than those who, through too much mercy, allow disorders to arise, from which follow murders or robberies; for these are wont to injure the whole people, whilst those executions which originate with a prince offend the individual only.

And of all princes, it is impossible for the new prince to avoid the imputation of cruelty, owing to new states being full of dangers. Hence Virgil, through the mouth of Dido, excuses the inhumanity of her reign owing to its being new, saying:

"... against my will, my fate
A throne unsettled, and an infant state,
Bid me defend my realms with all my pow'rs,
And guard with these severities my shores.

Nevertheless he ought to be slow to believe and to act, nor should he himself show fear, but proceed in a temperate manner with prudence and humanity, so that too much confidence may not make him incautious and too much distrust render him intolerable.

Upon this a question arises: whether it be better to be loved than feared or feared than loved? It may be answered that one should wish to be both, but, because it is difficult to unite them in one person, it is much safer to be feared than loved, when, of the two, either must be dispensed with. Because this is to be asserted in general of men, that they are ungrateful, fickle, false, cowardly, covetous, and as long as you succeed they are yours entirely; they will offer you their blood, property, life, and children, as is said above, when the need is far distant; but when it approaches they turn against you. And that prince who, relying entirely on their promises, has neglected other precautions, is ruined; because friendships that are obtained by payments, and not by greatness or nobility of mind, may indeed be earned, but they are not secured, and in time of need cannot be relied upon; and men have less scruple in offending one who is beloved than one who is feared, for love is preserved by the link of obligation which, owing to the baseness of men, is broken at every opportunity for their advantage; but fear preserves you by a dread of punishment which never fails.

Nevertheless a prince ought to inspire fear in such a way that, if he does not win love, he avoids hatred; because he can endure very well being feared whilst he is not hated, which will always be as long as he abstains from the property of his citizens and subjects and from their women. But when it is necessary for him to proceed against the life of someone, he must do it on proper justification and for manifest cause, but above all things he must keep his hands off the property of others, because men more quickly forget the death of their father than the loss of their patrimony. Besides, pretexts for taking away the property are never wanting; for he who has once begun to live by robbery will always find pretexts for seizing what belongs to others; but reasons for taking life, on the contrary, are more difficult to find and sooner lapse. But when a prince is with his army, and has under control a multitude of soldiers, then it is quite necessary for him to disregard the reputation of cruelty, for without it he would never hold his army united or disposed to its duties.

Among the wonderful deeds of Hannibal this one is enumerated: that having led an enormous army, composed of many various races of men, to fight in foreign lands, no dissensions arose either among them or against the prince, whether in his bad or in his good fortune. This arose from nothing else than his inhuman cruelty, which, with his boundless valor, made him revered and terrible in the sight of his soldiers, but without that cruelty, his other virtues were not sufficient to produce this effect. And short-sighted writers admire his deeds from one point of view and from another condemn the principal cause of them. That it is true his other virtues would not have been sufficient for him may be proved by the case of Scipio, that most excellent man, not only of his own times but within the memory of man, against whom, nevertheless, his army rebelled in Spain; this arose from nothing but his too great forbearance, which gave his soldiers more license than is consistent with military discipline. For this he was upbraided in the Senate by Fabius Maximus, and called the corrupter of the Roman soldiery. The Locrians were laid waste by a legate of Scipio, yet they were not avenged by him, nor was the insolence of the legate punished, owing entirely to his easy nature. Insomuch that someone in the Senate, wishing to excuse him, said there were many men who knew much better how not to err than to correct the errors of others. This disposition, if he had been continued in the command, would have destroyed in time the fame and glory of Scipio; but, he being under the control of the Senate, this injurious characteristic not only concealed itself, but contributed to his glory.

Returning to the question of being feared or loved, I come to the conclusion that, men loving according to their own will and fearing according to that of the prince, a wise prince should establish himself on that which is in his own control and not in that of others; he must endeavor only to avoid hatred, as is noted.

Chapter XVIII

Concerning the Way in Which Princes Should Keep Faith

Every one admits how praiseworthy it is in a prince to keep faith, and to live with integrity and not with craft. Nevertheless our experience has been that those princes who have done great things have held good faith of little account, and have known how to circumvent the intellect of men by craft, and in the end have overcome those who have relied on their word. You must know there are two ways of contesting, the one by the law, the other by force; the first method is proper to men, the second to beasts;

but because the first is frequently not sufficient, it is necessary to have recourse to the second. Therefore it is necessary for a prince to understand how to avail himself of the beast and the man. This has been figuratively taught to princes by ancient writers, who describe how Achilles and many other princes of old were given to the Centaur Chiron to nurse, who brought them up in his discipline; which means solely that, as they had for a teacher one who was half beast and half man, so it is necessary for a prince to know how to make use of both natures, and that one without the other is not durable. A prince, therefore, being compelled knowingly to adopt the beast, ought to choose the fox and the lion; because the lion cannot defend himself against snares and the fox cannot defend himself against wolves. Therefore, it is necessary to be a fox to discover the snares and a lion to terrify the wolves. Those who rely simply on the lion do not understand what they are about. Therefore a wise lord cannot, nor ought he to, keep faith when such observance may be turned against him, and when the reasons that caused him to pledge it exist no longer. If men were entirely good this precept would not hold, but because they are bad, and will not keep faith with you, you too are not bound to observe it with them. Nor will there ever be wanting to a prince legitimate reasons to excuse this non-observance. Of this endless modern examples could be given, showing how many treaties and engagements have been made void and of no effect through the faithlessness of princes; and he who has known best how to employ the fox has succeeded best.



But it is necessary to know well how to disguise this characteristic, and to be a great pretender and dissembler; and men are so simple, and so subject to present necessities, that he who seeks to deceive will always find someone who will allow himself to be deceived. One recent example I cannot pass over in silence. Alexander the Sixth did nothing else but deceive men, nor ever thought of doing otherwise, and he always found victims; for there never was a man who had greater power in asserting, or who with greater oaths would affirm a thing, yet would observe it less; nevertheless his deceits always succeeded according to his wishes, because he well understood this side of mankind.

Therefore it is unnecessary for a prince to have all the good qualities I have enumerated, but it is very necessary to appear to have them. And I shall dare to say this also, that to have them and always to observe them is injurious, and that to appear to have them is useful; to appear merciful, faithful, humane, religious, upright, and to be so, but with a mind so framed that should you require not to be so, you may be able and know how to change to the opposite.

And you have to understand this, that a prince, especially a new one, cannot observe all those things for which men are esteemed, being often forced, in order to maintain the state, to act contrary to fidelity, friendship, humanity, and religion. Therefore it is necessary for him to have a mind

Chapter XIX

That One Should Avoid Being Despised and Hated

Now, concerning the characteristics of which mention is made above, I have spoken of the more important ones, the others I wish to discuss briefly under this generality, that the prince must consider, as has been in part said before, how to avoid those things which will make him hated or contemptible; and as often as he shall have succeeded he will have fulfilled his part, and he need not fear any danger in other reproaches.

It makes him hated above all things, as I have said, to be rapacious, and to be a violator of the property and women of his subjects, from both of which he must abstain. And when neither their property nor their honor is touched, the majority of men live content, and he has only to contend with the ambition of a few, whom he can curb with ease in many ways.

It makes him contemptible to be considered fickle, frivolous, effeminate, mean-spirited, irresolute, from all of which a prince should guard himself as from a rock; and he should endeavor to show in his actions greatness, courage, gravity, and fortitude; and in his private dealings with his subjects let him show that his judgments are irrevocable, and maintain himself in such reputation that no one can hope either to deceive him or to get round him.

That prince is highly esteemed who conveys this impression of himself, and he who is highly esteemed is not easily conspired against; for, provided it is well known that he is an excellent man and revered by his people, he can only be attacked with difficulty. For this reason a prince ought to have two fears, one from within, on account of his subjects, the other from without, on account of external powers. From the latter he is defended by being well armed and having good allies, and if he is well armed he will have good friends, and affairs will always remain quiet within when they are quiet without, unless they should have been already disturbed by conspiracy; and even should affairs outside be disturbed, if he has carried out his preparations and has lived as I have said, as long as he does not despair, he will resist every attack, as I said Nabis the Spartan did.

But concerning his subjects, when affairs outside are disturbed he has only to fear that they will conspire secretly, from which a prince can easily secure himself by avoiding being hated and despised, and by keeping the people satisfied with him, which it is most necessary for him to accomplish, as I said above at length. And one of the most efficacious remedies that a prince can have against conspiracies is not to be hated and despised by the people, for he who conspires against a prince always expects to please them by his removal; but when the conspirator can only look forward to offending them, he will not have the courage to take such a course, for the difficulties that confront a conspirator are infinite. And as experience shows, many have been the conspiracies, but few have been successful; because he who conspires cannot act alone, nor can he take a companion except from those whom he believes to be malcontents, and as soon as you have opened your mind to a malcontent you have given him the material with

which to content himself, for by denouncing you he can look for every advantage; so that, seeing the gain from this course to be assured, and seeing the other to be doubtful and full of dangers, he must be a very rare friend, or a thoroughly obstinate enemy of the prince, to keep faith with you.

And, to reduce the matter into a small compass, I say that, on the side of the conspirator, there is nothing but fear, jealousy, prospect of punishment to terrify him; but on the side of the prince there is the majesty of the principality, the laws, the protection of friends and the state to defend him; so that, adding to all these things the popular goodwill, it is impossible that any one should be so rash as to conspire. For whereas in general the conspirator has to fear before the execution of his plot, in this case he has also to fear the sequel to the crime; because on account of it he has the people for an enemy, and thus cannot hope for any escape.

Endless examples could be given on this subject, but I will be content with one, brought to pass within the memory of our fathers. Messer Annibale Bentivogli, who was prince in Bologna (grandfather of the present Annibale), having been murdered by the Canneschi, who had conspired against him, not one of his family survived but Messer Giovanni, who was in childhood: immediately after his assassination the people rose and murdered all the Canneschi. This sprung from the popular goodwill which the house of Bentivogli enjoyed in those days in Bologna; which was so great that, although none remained there after the death of Annibale who was able to rule the state, the Bolognese, having information that there was one of the Bentivogli family in Florence, who up to that time had been considered the son of a blacksmith, sent to Florence for him and gave him the government of their city, and it was ruled by him until Messer Giovanni came in due course to the government.

For this reason I consider that a prince ought to reckon conspiracies of little account when his people hold him in esteem; but when it is hostile to him, and bears hatred towards him, he ought to fear everything and everybody. And well-ordered states and wise princes have taken every care not to drive the nobles to desperation, and to keep the people satisfied and contented, for this is one of the most important objects a prince can have.

Among the best ordered and governed kingdoms of our times is France, and in it are found many good institutions on which depend the liberty and security of the king; of these the first is the parliament and its authority, because he who founded the kingdom, knowing the ambition of the nobility and their boldness, considered that a bit to their mouths would be necessary to hold them in; and, on the other side, knowing the hatred of the people, founded in fear, against the nobles, he wished to protect

them, yet he was not anxious for this to be the particular care of the king; therefore, to take away the reproach which he would be liable to from the nobles for favoring the people, and from the people for favoring the nobles, he set up an arbiter, who should be one who could beat down the great and favor the lesser without reproach to the king. Neither could you have a better or a more prudent arrangement, or a greater source of security to the king and kingdom. From this one can draw another important conclusion, that princes ought to leave affairs of reproach to the management of others, and keep those of grace in their own hands. And further, I consider that a prince ought to cherish the nobles, but not so as to make himself hated by the people.

It may appear, perhaps, to some who have examined the lives and deaths of the Roman emperors that many of them would be an example contrary to my opinion, seeing that some of them lived nobly and showed great qualities of soul, nevertheless they have lost their empire or have been killed by subjects who have conspired against them. Wishing, therefore, to answer these objections, I will recall the characters of some of the emperors, and will show that the causes of their ruin were not different to those alleged by me; at the same time I will only submit for consideration those things that are noteworthy to him who studies the affairs of those times.

It seems to me sufficient to take all those emperors who succeeded to the empire from Marcus the philosopher down to Maximinus; they were Marcus and his son Commodus, Pertinax, Julian, Severus and his son Antoninus Caracalla, Macrinus, Heliogabalus, Alexander, and Maximinus.

There is first to note that, whereas in other principalities the ambition of the nobles and the insolence of the people only have to be contended with, the Roman emperors had a third difficulty in having to put up with the cruelty and avarice of their soldiers, a matter so beset with difficulties that it was the ruin of many; for it was a hard thing to give satisfaction both to soldiers and people; because the people loved peace, and for this reason they loved the unambitious prince, whilst the soldiers loved the warlike prince who was bold, cruel, and rapacious, which qualities they were quite willing he should exercise upon the people, so that they could get double pay and give vent to their own greed and cruelty. Hence it arose that those emperors were always overthrown who, either by birth or training, had no great authority, and most of them, especially those who came new to the principality, recognizing the difficulty of these two opposing humors, were inclined to give satisfaction to the soldiers, caring little about injuring the people. Which course was necessary, because, as princes cannot help being hated by someone, they ought, in the first place, to avoid being hated by every one, and when they cannot compass this, they ought to endeavor with the utmost diligence to avoid the hatred of the most powerful. Therefore, those emperors who through inexperience had need of special favor adhered more readily to the soldiers than to the people; a course which turned out advantageous to them or not, accordingly as the prince knew how to maintain authority over them.

From these causes it arose that Marcus, Pertinax, and Alexander, being all men of modest life, lovers of justice, enemies to cruelty, humane, and benignant, came to a sad end except Marcus; he alone lived and died honoured, because he had succeeded to the throne by hereditary title, and owed nothing either to the soldiers or the people; and afterwards, being possessed of many virtues which made him respected, he always kept both orders in their places whilst he lived, and was neither hated nor despised.

But Pertinax was created emperor against the wishes of the soldiers, who, being accustomed to live licentiously under Commodus, could not endure the honest life to which Pertinax wished to reduce them; thus, having given cause for hatred, to which hatred there was added contempt for his old age, he was overthrown at the very beginning of his administration. And here it should be noted that hatred is acquired as much by good works as by bad ones, therefore, as I said before, a prince wishing to keep his state is very often forced to do evil; for when that body is corrupt whom you think you have need of to maintain yourself—it may be either the people or the soldiers or the nobles—you have to submit to its humors and to gratify them, and then good works will do you harm.

But let us come to Alexander, who was a man of such great goodness, that among the other praises which are accorded him is this, that in the fourteen years he held the empire no one was ever put to death by him unjudged; nevertheless, being considered effeminate and a man who allowed himself to be governed by his mother, he became despised, the army conspired against him, and murdered him.

Turning now to the opposite characters of Commodus, Severus, Antoninus Caracalla, and Maximinus, you will find them all cruel and rapacious-men who, to satisfy their soldiers, did not hesitate to commit every kind of iniquity against the people; and all, except Severus, came to a bad end; but in Severus there was so much valour that, keeping the soldiers friendly, although the people were oppressed by him, he reigned successfully; for his valour made him so much admired in the sight of the soldiers and people that the latter were kept in a way astonished and awed and the former respectful and satisfied. And because the actions of this man, as a new prince, were great, I wish to show briefly that he knew well how to counterfeit the fox and the lion, which natures, as I said above, it is necessary for a prince to imitate.

Knowing the sloth of the Emperor Julian, he persuaded the army in Sclavonia, of which he was captain, that it would be right to go to Rome and avenge the death of Pertinax, who had been killed by the praetorian soldiers; and under this pretext, without appearing to aspire to the throne, he moved the army on Rome, and reached Italy before it was known that he had started. On his arrival at Rome, the Senate, through fear, elected him emperor and killed Julian. After this there remained for Severus, who wished to make himself master of the whole empire, two difficulties; one in Asia, where Niger, head of the Asiatic army, had caused himself to be proclaimed emperor; the other in the west where Albinus was, who also aspired to the throne. And as he considered it dangerous to declare himself hostile to both, he decided to attack Niger and to deceive Albinus. To the latter he wrote that, being elected emperor by the Senate, he was willing to share that dignity with him and sent him the title of Caesar; and, moreover, that the Senate had made Albinus his colleague; which things were accepted by Albinus as true. But after Severus had conquered and killed Niger, and settled oriental affairs, he returned to Rome and complained to the Senate that Albinus, little recognizing the benefits that he had received from him, had by treachery sought to murder him, and for this ingratitude he was compelled to punish him. Afterwards he sought him out in France, and took from him his government and life. He who will, therefore, carefully examine the actions of this man will find him a most valiant lion and a most cunning fox; he will find him feared and respected by every one, and not hated by the army; and it need not be wondered at that he, a new man, was able to hold the empire so well, because his supreme renown always protected him from that hatred which the people might have conceived against him for his violence.

But his son Antoninus was a most eminent man, and had very excellent qualities, which made him admirable in the sight of the people and acceptable to the soldiers, for he was a warlike man, most enduring of fatigue, a despiser of all delicate food and other luxuries, which caused him to be beloved by the armies. Nevertheless, his ferocity and cruelties were so great and so unheard of that, after endless single murders, he killed a large number of the people of Rome and all those of Alexandria. He became hated by the whole world, and also feared by those he had around him, to such an extent that he was murdered in the midst of his army by a centurion. And here it must be noted that such-like deaths, which are deliberately inflicted with a resolved and desperate courage, cannot be avoided by princes, because any one who does not fear to die can inflict them; but a prince may fear them the less because they are very rare; he has only to be careful not to do any grave injury to those whom he employs or has around him in the service of the state. Antoninus had not taken this care, but had contumeliously killed a brother of that centurion, whom also he daily threatened, yet retained in his bodyguard; which, as it turned out, was a rash thing to do, and proved the emperor's ruin.

But let us come to Commodus, to whom it should have been very easy to hold the empire, for, being the son of Marcus, he had inherited it, and he had only to follow in the footsteps of his father to please his people and soldiers; but, being by nature cruel and brutal, he gave himself up to amusing the soldiers and corrupting them, so that he might indulge his rapacity upon the people; on the other hand, not maintaining his dignity, often descending to the theatre to compete with gladiators, and doing other vile things, little worthy of the imperial majesty, he fell into contempt with the soldiers, and being hated by one party and despised by the other, he was conspired against and was killed.

It remains to discuss the character of Maximinus. He was a very warlike man, and the armies, being disgusted with the effeminacy of Alexander, of whom I have already spoken, killed him and elected Maximinus to the throne. This he did not possess for long, for two things made him hated and despised; the one, his having kept sheep in Thrace, which brought him into contempt (it being well known to all, and considered a great indignity by every one), and the other, his having at the accession to his dominions deferred going to Rome and taking possession of the imperial seat; he had also gained a reputation for the utmost ferocity by having, through his prefects in Rome and elsewhere in the empire, practised many cruelties, so that the whole world was moved to anger at the meanness of his birth and to fear at his barbarity. First Africa rebelled, then the Senate with all the people

of Rome, and all Italy conspired against him, to which may be added his own army; this latter, besieging Aquileia and meeting with difficulties in taking it, were disgusted with his cruelties, and fearing him less when they found so many against him, murdered him.

I do not wish to discuss Heliogabalus, Macrinus, or Julian, who, being thoroughly contemptible, were quickly wiped out; but I will bring this discourse to a conclusion by saying that princes in our times have this difficulty of giving inordinate satisfaction to their soldiers in a far less degree, because, notwithstanding one has to give them some indulgence, that is soon done; none of these princes have armies that are veterans in the governance and administration of provinces, as were the armies of the Roman Empire; and whereas it was then more necessary to give satisfaction to the soldiers than to the people, it is now more necessary to all princes, except the Turk and the Soldan, to satisfy the people rather the soldiers, because the people are the more powerful.

From the above I have excepted the Turk, who always keeps round him twelve thousand infantry and fifteen thousand cavalry on which depend the security and strength of the kingdom, and it is necessary that, putting aside every consideration for the people, he should keep them his friends. The kingdom of the Soldan is similar; being entirely in the hands of soldiers, it follows again that, without regard to the people, he must keep them his friends. But you must note that the state of the Soldan is unlike all other principalities, for the reason that it is like the Christian pontificate, which cannot be called either an hereditary or a newly formed principality; because the sons of the old prince are not the heirs, but he who is elected to that position by those who have authority, and the sons remain only noblemen. And this being an ancient custom, it cannot be called a new principality, because there are none of those difficulties in it that are met with in new ones; for although the prince is new, the constitution of the state is old, and it is framed so as to receive him as if he were its hereditary lord.

But returning to the subject of our discourse, I say that whoever will consider it will acknowledge that either hatred or contempt has been fatal to the above-named emperors, and it will be recognized also how it happened that, a number of them acting in one way and a number in another, only one in each way came to a happy end and the rest to unhappy ones. Because it would have been useless and dangerous for Pertinax and Alexander, being new princes, to imitate Marcus, who was heir to the principality; and likewise it would have been utterly destructive to Caracalla, Commodus, and Maximinus to have imitated Severus, they not having sufficient valor to enable them to tread in his footsteps. Therefore a prince, new to the principality, cannot imitate the actions of Marcus, nor, again, is it necessary to follow those of Severus, but he ought to take from Severus those parts which are necessary to found his state, and from Marcus those which are proper and glorious to keep a state that may already be stable and firm.



THE LEVIATHAN

THOMAS HOBBES

1651
OXFORD, ENGLAND

Thomas Hobbes wrote his most famous political doctrine amidst the English Civil War. The Leviathan describes a dark vision of human nature, and calls for a strong monarchy to provide order and security out of this dangerous state.

Hobbes discussion of a social contract would inspire other Enlightenment era philosophers to provide their own commentary on this concept.

Chapter XIII Of the Natural Condition of Mankind as Concerning Their Felicity and Misery

NATURE hath made men so equal in the faculties of body and mind as that, though there be found one man sometimes manifestly stronger in body or of quicker mind than another, yet when all is reckoned together the difference between man and man is not so considerable as that one man can thereupon claim to himself any benefit to which another may not pretend as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination or by confederacy with others that are in the same danger with himself.

And as to the faculties of the mind... I find yet a greater equality amongst men than that of strength... For such is the nature of men that howsoever they may acknowledge many others to be more witty, or more eloquent or more learned, yet they will hardly believe there be many so wise as themselves; for they see their own wit at hand, and other men's at a distance. But this proveth rather that men are in that point equal, than unequal. For there is not ordinarily a greater sign of the equal distribution of anything than that every man is contented with his share.

From this equality of ability ariseth equality of hope in the attaining of our ends. And therefore if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies; and in the way to their end (which is principally their own conservation, and sometimes their delectation only) endeavor to

destroy or subdue one another. And from hence it comes to pass that where an invader hath no more to fear than another man's single power, if one plant, sow, build, or possess a convenient seat, others may probably be expected to come prepared with forces united to dispossess and deprive him, not only of the fruit of his labor, but also of his life or liberty. And the invader again is in the like danger of another.

And from this diffidence of one another, there is no way for any man to secure himself so reasonable as anticipation; that is, by force, or wiles, to master the persons of all men he can so long till he see no other power great enough to endanger him: and this is no more than his own conservation requireth, and is generally allowed. Also, because there be some that, taking pleasure in contemplating their own power in the acts of conquest, which they pursue farther than their security requires, if others, that otherwise would be glad to be at ease within modest bounds, should not by invasion increase their power, they would not be able, long time, by standing only on their defense, to subsist. And by consequence, such augmentation of dominion over men being necessary to a man's conservation, it ought to be allowed him.

Again, men have no pleasure (but on the contrary a great deal of grief) in keeping company where there is no power able to overawe them all. For every man looketh that his companion should value him at the same rate he sets upon himself, and upon all signs of contempt or undervaluing naturally endeavors, as far as he dares (which amongst them that have no common power to keep them in quiet is far enough to make them destroy each other), to extort a greater value from his condemners, by damage; and from others, by the example.

So that in the nature of man, we find three principal causes of quarrel. First, competition; secondly, diffidence; thirdly, glory.

The first maketh men invade for gain; the second, for safety; and the third, for reputation. The first use violence, to make themselves masters of other men's persons, wives, children, and cattle; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other sign of undervalue, either direct in their persons or by reflection in their kindred, their friends, their nation, their profession, or their name.

Hereby it is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war as is of every man against every man...

In such condition there is no place for industry, because the fruit thereof is uncertain: and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; no commodious building; no instruments of moving and removing such things as require much force; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short...

To this war of every man against every man, this also is consequent; that nothing can be unjust. The notions of right and wrong, justice and injustice, have there no place. Where there is no common power, there is no law; where no law, no injustice. Force and fraud are in war the two cardinal virtues. Justice and injustice are none of the faculties neither of the body nor mind. If they were, they might be in a man that were alone in the world, as well as his senses and passions. They are qualities that relate to men in society, not in solitude. It is consequent also to the same condition that there be no propriety, no dominion, no mine and thine distinct; but only that to be every man's that he can get, and for so long as he can keep it. And thus much for the ill condition which man by mere nature is actually placed in; though with a possibility to come out of it, consisting partly in the passions, partly in his reason.

The passions that incline men to peace are: fear of death; desire of such things as are necessary to commodious living; and a hope by their industry to obtain them. And reason suggesteth convenient articles of peace upon which men may be drawn to agreement. These articles are they which otherwise are called the Laws of Nature...

**Chapter XIV:
Of the First and Second Laws, and of Contracts**

A law of nature, *lex naturalis*, is a precept, or general rule, found out by reason, by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved...

And because the condition of man (as hath been declared in the precedent chapter) is a condition of war of every one against every one, in which case every one is governed by his own reason, and there is nothing he can make use of that may not be a help unto him in preserving his life against his enemies; it followeth that in such a condition every man has a right to every thing, even to one another's body. And therefore, as long as this natural right of every man to every thing endureth, there can be no security to any man, how strong or wise soever he be, of living out the time which nature ordinarily alloweth men to live. And consequently it is a precept, or general rule of reason: that every man ought to endeavor peace, as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek and use all helps and advantages of war. The first branch of which rule containeth the first and fundamental law of nature, which is: to seek peace and follow it. The second, the sum of the right of nature, which is: by all means we can to defend ourselves.

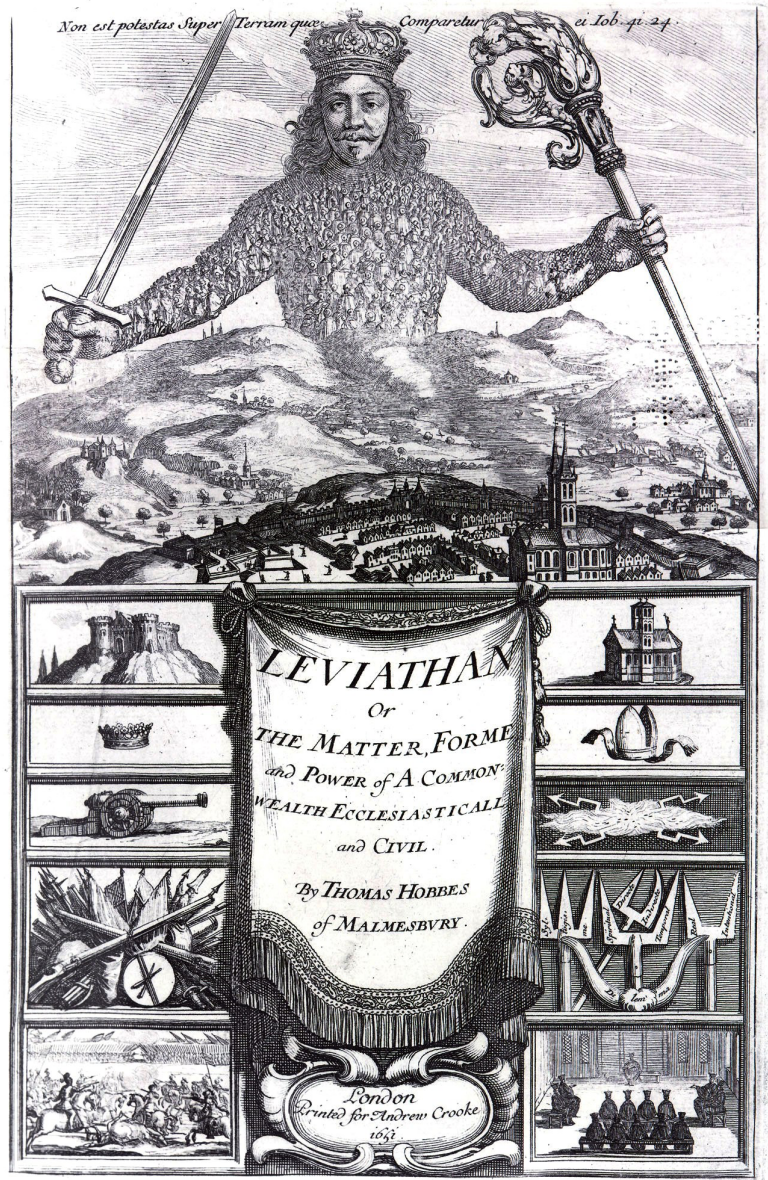
From this fundamental law of nature, by which men are commanded to endeavor peace, is derived this second law: that a man be willing, when others are so too, as far forth as for peace and defense of himself he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men as he would allow other men against himself. For as long as every man holdeth this right, of doing anything he liketh; so long are all men in the condition of war. But if other men will not lay down their right, as well as he, then there is no reason for anyone to divest himself of his: for that were to expose himself to prey, which no man is bound to, rather than to dispose himself to peace...

Right is laid aside, either by simply renouncing it, or by transferring it to another...

The mutual transferring of right is that which men call CONTRACT....

Again, one of the contractors may deliver the thing contracted for on his part, and leave the other to perform his part at some determinate time after, and in the meantime be trusted; and then the contract on his part is called PACT, or COVENANT....

If a covenant be made wherein neither of the parties perform presently, but trust one another, in the condition of mere nature (which is a condition of war of every man against every man) upon any reasonable suspicion, it is void: but if there be a common power set over them both, with right and force sufficient to compel performance, it is not void. For he that performeth first



has no assurance the other will perform after, because the bonds of words are too weak to bridle men's ambition, avarice, anger, and other passions, without the fear of some coercive power; which in the condition of mere nature, where all men are equal, and judges of the justness of their own fears, cannot possibly be supposed. And therefore he which performeth first does but betray himself to his enemy, contrary to the right he can never abandon of defending his life and means of living.

But in a civil estate, where there a power set up to constrain those that would otherwise violate their faith, that fear is no more reasonable; and for that cause, he which by the covenant is to perform first is obliged so to do...

Chapter XV: Of Other Laws of Nature

FROM that law of nature by which we are obliged to transfer to another such rights as, being retained, hinder the peace of mankind, there followeth a third; which is this: that men perform their covenants made; without which covenants are in vain, and but empty words; and the right of all men to all things remaining, we are still in the condition of war.

And in this law of nature consisteth the fountain and original of justice. For where no covenant hath preceded, there hath no right been transferred, and every man has right to everything and consequently, no action can be unjust. But when a covenant is made, then to break it is unjust and the definition of INJUSTICE is no other than the not performance of covenant. And whatsoever is not unjust is just.

But because covenants of mutual trust, where there is a fear of not performance on either part (as hath been said in the former chapter), are invalid, though the original of justice be the making of covenants, yet injustice actually there can be none till the cause of such fear be taken away; which, while men are in the natural condition of war, cannot be done. Therefore before the names of just and unjust can have place, there must be some coercive power to compel men equally to the performance of their covenants, by the terror of some punishment greater than the benefit they expect by the breach of their covenant, and to make good that propriety which by mutual contract men acquire in recompense of the universal right they abandon: and such power there is none before the erection of a Commonwealth. And this is also to be gathered out of the ordinary definition of justice in the Schools: for they say that justice is the constant will of giving to every man his own. And therefore where there is no own, that is, no propriety, there is no injustice; and where there is no coercive power erected, that is, where there is no Commonwealth, there is no propriety, all men having right to all things: therefore where there is no Commonwealth, there nothing is unjust. So that the nature of justice consisteth in keeping of valid covenants, but the validity of covenants begins not but with the constitution of a civil power sufficient to compel men to keep them: and then it is also that propriety begins...

Chapter XVII: Of the Causes, Generation, and Definition of a Commonwealth

THE final cause, end, or design of men (who naturally love liberty, and dominion over others) in the introduction of that restraint upon themselves, in which we see them live in Commonwealths, is the foresight of their own preservation, and of a more contented life thereby; that is to say, of getting themselves out from that miserable condition of war which is necessarily consequent, as hath been shown, to the natural passions of men when there is no visible power to keep them in awe, and tie them by fear of punishment to the performance of their covenants, and observation of those laws of nature set down [above]...

The only way to erect such a common power, as may be able to defend them from the invasion of foreigners, and the injuries of one another, and thereby to secure them in such sort as that by their own industry and by the fruits of the earth they may nourish themselves and live contentedly, is to confer all their power and strength upon one man, or upon one assembly of men, that may reduce all their wills, by plurality of voices, unto one will: which is as much as to say, to appoint one man, or assembly of men, to bear their person; and every one to own and acknowledge himself to be author of whatsoever he that so beareth their person shall act, or cause to be acted, in those things which concern the common peace and safety; and therein to submit their wills, every one to his will, and their judgements to his judgement. This is more than consent, or concord; it is a real unity of

them all in one and the same person, made by covenant of every man with every man, in such manner as if every man should say to every man: I authorize and give up my right of governing myself to this man, or to this assembly of men, on this condition; that thou give up, thy right to him, and authorize all his actions in like manner. This done, the multitude so united in one person is called a COMMONWEALTH; in Latin, CIVITAS. This is the generation of that great LEVIATHAN, or rather, to speak more reverently, of that mortal god to which we owe, under the immortal God, our peace and defense. For by this authority, given him by every particular man in the Commonwealth, he hath the use of so much power and strength conferred on him that, by terror thereof, he is enabled to form the wills of them all, to peace at home, and mutual aid against their enemies abroad. And in him consisteth the essence of the Commonwealth; which, to define it, is: one person, of whose acts a great multitude, by mutual covenants one with another, have made themselves every one the author, to the end he may use the strength and means of them all as he shall think expedient for their peace and common defense.

And he that carryeth this person is called SOVEREIGN, and said to have sovereign power; and every one besides, his SUBJECT...

Chapter XVIII **Of the Rights of Sovereigns by Institutions**

A commonwealth is said to be instituted when a multitude of men do agree, and covenant, every one with every one, that to whatsoever man, or assembly of men, shall be given by the major part the right to present the person of them all, that is to say, to be their representative; every one, as well he that voted for it as he that voted against it, shall authorize all the actions and judgements of that man, or assembly of men, in the same manner as if they were his own, to the end to live peaceably amongst themselves, and be protected against other men....

.... [To the Sovereignty,] is annexed to the sovereignty the whole power of prescribing the rules whereby every man may know what goods he may enjoy, and what actions he may do, without being molested by any of his fellow subjects: and this is it men call property. For before constitution of sovereign power, as hath already been shown, all men had right to all things, which necessarily causeth war: and therefore this property, being necessary to peace, and depending on sovereign power, is the act of that power, in order to the public peace. These rules of property (or meum and tuum) and of good, evil, lawful, and unlawful in the actions of subjects are the civil laws; that is to say, the laws of each Commonwealth in particular...



TWO TREATISES ON GOVERNMENT

JOHN LOCKE

1690
OXFORD, ENGLAND

Writing after the Glorious Revolution, John Locke had a more optimistic view of human nature than Hobbes.

As a result, he favored a constitutional monarchy, and advocated for government protection of natural rights.

Chapter II: Of the State of Nature

Sect. 4. To understand political power right, and derive it from its original, we must consider, what state all men are naturally in, and that is, a state of perfect freedom to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.

A state also of equality, wherein all the power and jurisdiction is reciprocal, no one having more than another; there being nothing more evident, than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection, unless the lord and master of them all should, by any manifest declaration of his will, set one above another, and confer on him, by an evident and clear appointment, an undoubted right to dominion and sovereignty.

Sect. 5. This equality of men by nature, the judicious Hooker looks upon as so evident in itself, and beyond all question, that he makes it the foundation of that obligation to mutual love amongst men, on which he builds the duties they owe one another, and from whence he derives the great maxims of justice and charity. His words are,

The like natural inducement hath brought men to know that it is no less their duty, to love others than themselves; for seeing those things which are equal, must

needs all have one measure; if I cannot but wish to receive good, even as much at every man's hands, as any man can wish unto his own soul, how should I look to have any part of my desire herein satisfied, unless myself be careful to satisfy the like desire, which is undoubtedly in other men, being of one and the same nature? To have any thing offered them repugnant to this desire, must needs in all respects grieve them as much as me; so that if I do harm, I must look to suffer, there being no reason that others should show greater measure of love to me, than they have by me showed unto them: my desire therefore to be loved of my equals in nature as much as possible may be, imposeth upon me a natural duty of bearing to them-ward fully the like affection; from which relation of equality between ourselves and them that are as ourselves, what several rules and canons natural reason hath drawn, for direction of life, no man is ignorant.

Sect. 6. But though this be a state of liberty, yet it is not a state of license: though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it. The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master, sent into the world by his order, and about his business; they are his property, whose workmanship they are, made to last during his, not one another's pleasure: and being furnished with like faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us, that may authorize us to destroy one another, as if we were made for one another's uses, as the inferior ranks of creatures are for our's. Every one, as he is bound to preserve himself, and not to quit his station willfully, so by the like reason, when his own preservation comes not in competition, ought he, as much as he can, to preserve the rest of mankind, and may not, unless it be to do justice on an offender, take away, or impair the life, or what tends to the preservation of the life, the liberty, health, limb, or goods of another.

Sect. 7. And that all men may be restrained from invading others rights, and from doing hurt to one another, and the law of nature be observed, which willeth the peace and preservation of all mankind, the execution of the law of nature is, in that state, put into every man's hands, whereby every one has a right to punish the transgressors of that law to such a degree, as may hinder its violation: for the law of nature would, as all other laws that concern men in this world 'be in vain, if there were no body that in the state of nature had a power to execute that law, and thereby preserve the innocent and restrain offenders. And if any one in the state of nature may punish another for any evil he has done, every one may do so: for in that state of perfect equality, where naturally there is no superiority or jurisdiction of one over another, what any may do in prosecution of that law, every one must needs have a right to do.

Sect. 8. And thus, in the state of nature, one man comes by a power over another; but yet no absolute or arbitrary power, to use a criminal, when he has got him in his hands, according to the passionate heats, or boundless extravagancy of his own will; but only to return to him, so far as calm reason and conscience dictate, what is proportionate to his transgression, which is so much as may serve for reparation and restraint: for these two are the only reasons, why one man may lawfully do harm to another, which is that we call punishment. In transgressing the law of nature, the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men, for their mutual security; and so he becomes dangerous to mankind, the box which is to secure them from injury and violence, being slighted and broken by him. Which being a trespass against the whole species, and the peace and safety of it, provided for by the law of nature, every man upon this score, by the right he hath to preserve mankind in general, may restrain, or where it is necessary, destroy things noxious to them, and so may bring such evil on any one, who hath transgressed that law, as may make him repent the doing of it, and thereby deter him, and by his example others, from doing the like mischief. And in the case, and upon this ground, EVERY MAN HATH A RIGHT TO PUNISH THE OFFENDER, AND BE EXECUTIONER OF THE LAW OF NATURE.

Sect. 9. I doubt not but this will seem a very strange doctrine to some men: but before they condemn it, I desire them to resolve me, by what right any prince or state can put to death, or punish an alien, for any crime he commits in their country. It is certain

their laws, by virtue of any sanction they receive from the promulgated will of the legislative, reach not a stranger: they speak not to him, nor, if they did, is he bound to hearken to them. The legislative authority, by which they are in force over the subjects of that commonwealth, hath no power over him. Those who have the supreme power of making laws in England, France or Holland, are to an Indian, but like the rest of the world, men without authority: and therefore, if by the law of nature every man hath not a power to punish offenses against it, as he soberly judges the case to require, I see not how the magistrates of any community can punish an alien of another country; since, in reference to him, they can have no more power than what every man naturally may have over another.

Sect. 10. Besides the crime which consists in violating the law, and varying from the right rule of reason, whereby a man so far becomes degenerate, and declares himself to quit the principles of human nature, and to be a noxious creature, there is commonly injury done to some person or other, and some other man receives damage by his transgression: in which case he who hath received any damage, has, besides the right of punishment common to him with other men, a particular right to seek reparation from him that has done it: and any other person, who finds it just, may also join with him that is injured, and assist him in recovering from the offender so much as may make satisfaction for the harm he has suffered.

Sect. 11. From these two distinct rights, the one of punishing the crime for restraint, and preventing the like offense, which right of punishing is in every body; the other of taking reparation, which belongs only to the injured party, comes it to pass that the magistrate, who by being magistrate hath the common right of punishing put into his hands, can often, where the public good demands not the execution of the law, remit the punishment of criminal offenses by his own authority, but yet cannot remit the satisfaction due to any private man for the damage he has received. That, he who has suffered the damage has a right to demand in his own name, and he alone can remit: the damnified person has this power of appropriating to himself the goods or service of the offender, by right of self-preservation, as every man has a power to punish the crime, to prevent its being committed again, by the right he has of preserving all mankind, and doing all reasonable things he can in order to that end: and thus it is, that every man, in the state of nature, has a power to kill a murderer, both to deter others from doing the like injury, which no reparation can compensate, by the example of the punishment that attends it from every body, and also to secure men from the attempts of a criminal, who having renounced reason, the common rule and measure God hath given to mankind, hath, by the unjust violence and slaughter he hath committed upon one, declared war against all mankind, and therefore may be destroyed as a lion or a tiger, one of those wild savage beasts, with whom men can have no society nor security: and upon this is grounded that great law of nature, whoever sheds another man's blood, by that man shall his blood be shed. And Cain was so fully convinced, that everyone had a right to destroy such a criminal, that after the murder of his brother, he cries out, Every one that finds me, shall slay me; so plain was it writ in the hearts of all mankind.

Sect. 12. By the same reason may a man in the state of nature punish the lesser breaches of that law. It will perhaps be demanded, with death? I answer, each transgression may be punished to that degree, and with so much severity, as will suffice to make it an ill bargain to the offender, give him cause to repent, and terrify others from doing the like. Every offense, that can be committed in the state of nature, may in the state of nature be also punished equally, and as far forth as it may, in a commonwealth: for though it would be besides my present purpose, to enter here into the particulars of the law of nature, or its measures of punishment; yet, it is certain there is such a law, and that too, as intelligible and plain to a rational creature, and a studier of that law, as the positive laws of commonwealths; nay, possibly plainer; as much as reason is easier to be understood, than the fancies and intricate contrivances of men, following contrary and hidden interests put into words; for so truly are a great part of the municipal laws of countries, which are only so far right, as they are founded on the law of nature, by which they are to be regulated and interpreted.

Sect. 13. To this strange doctrine, viz. That in the state of nature every one has the executive power of the law of nature, I doubt not but it will be objected, that it is unreasonable for men to be judges in their own cases, that self-love will make men partial to themselves and their friends: and on the other side, that ill nature, passion and revenge will carry them too far in punishing others; and hence nothing but confusion and disorder will follow, and that therefore God hath certainly appointed government to

restrain the partiality and violence of men. I easily grant, that civil government is the proper remedy for the inconveniences of the state of nature, which must certainly be great, where men may be judges in their own case, since it is easy to be imagined, that he who was so unjust as to do his brother an injury, will scarce be so just as to condemn himself for it: but I shall desire those who make this objection, to remember, that absolute monarchs are but men; and if government is to be the remedy of those evils, which necessarily follow from men's being judges in their own cases, and the state of nature is therefore not to how much better it is than the state of nature, where one man, commanding a multitude, has the liberty to be judge in his own case, and may do to all his subjects whatever he pleases, without the least liberty to any one to question or control those who execute his pleasure and in whatsoever he cloth, whether led by reason, mistake or passion, must be submitted to much better it is in the state of nature, wherein men are not bound to submit to the unjust will of another: and if he that judges, judges amiss in his own, or any other case, he is answerable for it to the rest of mankind.

Sect. 14. It is often asked as a mighty objection, where are, or ever were there any men in such a state of nature? To which it may suffice as an answer at present, that since all princes and rulers of independent governments all through the world, are in a state of nature, it is plain the world never was, nor ever will be, without numbers of men in that state. I have named all governors of independent communities, whether they are, or are not, in league with others: for it is not every compact that puts an end to the state of nature between men, but only this one of agreeing together mutually to enter into one community, and make one body politic; other promises, and compacts, men may make one with another, and yet still be in the state of nature. The promises and bargains between the two men in the desert island, mentioned by Garcilasso de la Vega, in his history of Peru; or between a Swiss and an Indian, in the woods of America, are binding to them, though they are perfectly in a state of nature, in reference to one another: for truth and keeping of faith belongs to men, as men, and not as members of society.

Sect. 15. To those that say, there were never any men in the state of nature, I will not only oppose the authority of the judicious Hooker, Eccl. Pol. lib. i. sect. 10, where he says, The laws which have been hitherto mentioned, i.e. the laws of nature, do bind men absolutely, even as they are men, although they have never any settled fellowship, never any solemn agreement amongst themselves what to do, or not to do: but forasmuch as we are not by ourselves sufficient to furnish ourselves with competent store of things, needful for such a life as our nature doth desire, a life fit for the dignity of man; therefore to supply those defects and imperfections which are in us, as living single and solely by ourselves, we are naturally induced to seek communion and fellowship with others: this was the cause of men's uniting themselves at first in politic societies. But I moreover affirm, that all men are naturally in that state, and remain so, till by their own consents they make themselves members of some politic society; and I doubt not in the sequel of this discourse, to make it very clear.

Chapter VII:

Of Political of Civil Society

Sec. 77. GOD having made man such a creature, that in his own judgment, it was not good for him to be alone, put him under strong obligations of necessity, convenience, and inclination to drive him into society, as well as fitted him with understanding and language to continue and enjoy it. The first society was between man and wife, which gave beginning to that between parents and children; to which, in time, that between master and servant came to be added: and though all these might, and commonly did meet together, and make up but one family, wherein the master or mistress of it had some sort of rule proper to a family; each of these, or all together, came short of political society, as we shall see, if we consider the different ends, ties, and bounds of each of these.

Sec. 78. Conjugal society is made by a voluntary compact between man and woman; and though it consist chiefly in such a communion and right in one another's bodies as is necessary to its chief end, procreation; yet it draws with it mutual support and assistance, and a communion of interests too, as necessary not only to unite their care and affection, but also necessary to their common off-spring, who have a right to be nourished, and maintained by them, till they are able to provide for themselves.

Sec. 79. For the end of conjunction, between male and female, being not barely procreation, but the continuation of the species; this conjunction between male and female ought to last, even after procreation, so long as is necessary to the nourishment and support of the young ones, who are to be sustained even after procreation, so long as is necessary to the nourishment and support of the young ones, who are to be sustained by those that got them, till they are able to shift and provide for themselves. This rule, which the infinite wise maker hath set to the works of his hands, we find the inferior creatures steadily obey. In those viviparous animals which feed on grass, the conjunction between male and female lasts no longer than the very act of copulation; because the teat of the mother being sufficient to nourish the young, till it be able to feed on grass, the male only begets, but concerns not himself for the female or young, to whose sustenance he can contribute nothing. But in beasts of prey the conjunction lasts longer: because the mother not being able well to subsist herself, and nourish her numerous off-spring by her own prey alone, a more laborious, as well as more dangerous way of living, than by feeding on grass, the assistance of the male is necessary to the maintenance of their common family, which cannot subsist till they are able to prey for themselves, but by the joint care of male and female. The same is to be observed in all birds, (except some domestic ones, where plenty of food excuses the male from feeding, and taking care of the young brood) whose young needing food in the nest, the cock and hen continue mates, till the young are able to use their wing, and provide for themselves.

Sec. 80. And herein I think lies the chief, if not the only reason, why the male and female in mankind are tied to a longer conjunction than other creatures, because the female is capable of conceiving, and de facto is commonly with child again, and brings forth too a new birth, long before the former is out of a dependency for support on his parents help, and able to shift for himself, and has all the assistance is due to him from his parents: whereby the father, who is bound to take care for those he hath begot, is under an obligation to continue in conjugal society with the same woman longer than other creatures, whose young being able to subsist of themselves, before the time of procreation returns again, the conjugal bond dissolves of itself, and they are at liberty, till his usual anniversary season summons them again to choose new mates. Wherein one cannot but admire the wisdom of the great Creator, who having given to man foresight, and an ability to lay up for the future, as well as to supply the present necessity, hath made it necessary, that society of man and wife should be more lasting, than of male and female amongst other creatures; that so their industry might be encouraged, and their interest better united, to make provision and lay up goods for their common issue, which uncertain mixture, or easy and frequent solutions of conjugal society would mightily disturb.

Sec. 81. But though these are ties upon mankind, which make the conjugal bonds more firm and lasting in man, than the other species of animals; yet it would give one reason to enquire, why this compact, where procreation and education are secured, and inheritance taken care for, may not be made determinable, either by consent, or at a certain time, or upon certain conditions, as well as any other voluntary compacts, there being no necessity in the nature of the thing, nor to the ends of it, that it should always be for life; I mean, to such as are under no restraint of any positive law, which ordains all such contracts to be perpetual.

Sec. 82. But the husband and wife, though they have but one common concern, yet having different understandings, will unavoidably sometimes have different wills too; it therefore being necessary that the last determination, i. e. the rule, should be placed somewhere; it naturally falls to the man's share, as the abler and the stronger. But this reaching but to the things of their common interest and property, leaves the wife in the full and free possession of what by contract is her peculiar right, and gives the husband no more power over her life than she has over his; the power of the husband being so far from that of an absolute monarch, that the wife has in many cases a liberty to separate from him, where natural right, or their contract allows it; whether that contract be made by themselves in the state of nature, or by the customs or laws of the country they live in; and the children upon such separation fall to the father or mother's lot, as such contract does determine.

Sec. 83. For all the ends of marriage being to be obtained under politic government, as well as in the state of nature, the civil magistrate cloth not abridge the right or power of either naturally necessary to those ends, viz. procreation and mutual support and assistance whilst they are together; but only decides any controversy that may arise between man and wife about them. If it were otherwise, and that absolute sovereignty and power of life and death naturally belonged to the husband, and were necessary to the society between man and wife, there could be no matrimony in any of those countries where the husband is allowed

no such absolute authority. But the ends of matrimony requiring no such power in the husband, the condition of conjugal society put it not in him, it being not at all necessary to that state. Conjugal society could subsist and attain its ends without it; nay, community of goods, and the power over them, mutual assistance and maintenance, and other things belonging to conjugal society, might be varied and regulated by that contract which unites man and wife in that society, as far as may consist with procreation and the bringing up of children till they could shift for themselves; nothing being necessary to any society, that is not necessary to the ends for which it is made.

Sec. 84. The society betwixt parents and children, and the distinct rights and powers belonging respectively to them, I have treated of so largely, in the foregoing chapter, that I shall not here need to say any thing of it. And I think it is plain, that it is far different from a politic society.

Sec. 85. Master and servant are names as old as history, but given to those of far different condition; for a freeman makes himself a servant to another, by selling him, for a certain time, the service he undertakes to do, in exchange for wages he is to receive: and though this commonly puts him into the family of his master, and under the ordinary discipline thereof; yet it gives the master but a temporary power over him, and no greater than what is contained in the contract between them. But there is another sort of servants, which by a peculiar name we call slaves, who being captives taken in a just war, are by the right of nature subjected to the absolute dominion and arbitrary power of their masters. These men having, as I say, forfeited their lives, and with it their liberties, and lost their estates; and being in the state of slavery, not capable of any property, cannot in that state be considered as any part of civil society; the chief end whereof is the preservation of property.

Sec. 86. Let us therefore consider a master of a family with all these subordinate relations of wife, children, servants, and slaves, united under the domestic rule of a family; which, what resemblance soever it may have in its order, offices, and number too, with a little common-wealth, yet is very far from it, both in its constitution, power and end: or if it must be thought a monarchy, and the paterfamilias the absolute monarch in it, absolute monarchy will have but a very shattered and short power, when it is plain, by what has been said before, that the master of the family has a very distinct and differently limited power, both as to time and extent, over those several persons that are in it; for excepting the slave (and the family is as much a family, and his power as paterfamilias as great, whether there be any slaves in his family or no) he has no legislative power of life and death over any of them, and none too but what a mistress of a family may have as well as he. And he certainly can have no absolute power over the whole family, who has but a very limited one over every individual in it. But how a family, or any other society of men, differ from that which is properly political society, we shall best see, by considering wherein political society itself consists.

Sec. 87. Man being born, as has been proved, with a title to perfect freedom, and an uncontrolled enjoyment of all the rights and privileges of the law of nature, equally with any other man, or number of men in the world, hath by nature a power, not only to preserve his property, that is, his life, liberty and estate, against the injuries and attempts of other men; but to judge of, and punish the breaches of that law in others, as he is persuaded the offense deserves, even with death itself, in crimes where the heinousness of the fact, in his opinion, requires it. But because no political society can be, nor subsist, without having in itself the power to preserve the property, and in order thereunto, punish the offenses of all those of that society; there, and there only is political society, where every one of the members hath quitted this natural power, resigned it up into the hands of the community in all cases that exclude him not from appealing for protection to the law established by it. And thus all private judgment of every particular member being excluded, the community comes to be umpire, by settled standing rules, indifferent, and the same to all parties; and by men having authority from the community, for the execution of those rules, decides all the differences that may happen between any members of that society concerning any matter of right; and punishes those offenses which any member hath committed against the society, with such penalties as the law has established: whereby it is easy to discern, who are, and who are not, in political society together. Those who are united into one body, and have a common established law and judicature to appeal to, with authority to decide controversies between them, and punish offenders, are in civil society one with another: but those who have no such common appeal, I mean on earth, are still in the state of nature, each being, where there is no other, judge for himself, and executioner; which is, as I have before showed it, the perfect state of nature.

Sec. 88. And thus the common-wealth comes by a power to set down what punishment shall belong to the several transgressions which they think worthy of it, committed amongst the members of that society, (which is the power of making laws) as well as it has the power to punish any injury done unto any of its members, by any one that is not of it, (which is the power of war and peace;) and all this for the preservation of the property of all the members of that society, as far as is possible. But though every man who has entered into civil society, and is become a member of any commonwealth, has thereby quitted his power to punish offenses, against the law of nature, in prosecution of his own private judgment, yet with the judgment of offenses, which he has given up to the legislative in all cases, where he can appeal to the magistrate, he has given a right to the common-wealth to employ his force, for the execution of the judgments of the common-wealth, whenever he shall be called to it; which indeed are his own judgments, they being made by himself, or his representative. And herein we have the original of the legislative and executive power of civil society, which is to judge by standing laws, how far offenses are to be punished, when committed within the common-wealth; and also to determine, by occasional judgments founded on the present circumstances of the fact, how far injuries from without are to be vindicated; and in both these to employ all the force of all the members, when there shall be need.

Sec. 89. Where-ever therefore any number of men are so united into one society, as to quit every one his executive power of the law of nature, and to resign it to the public, there and there only is a political, or civil society. And this is done, where-ever any number of men, in the state of nature, enter into society to make one people, one body politic, under one supreme government; or else when any one joins himself to, and incorporates with any government already made: for hereby he authorizes the society, or which is all one, the legislative thereof, to make laws for him, as the public good of the society shall require; to the execution whereof, his own assistance (as to his own decrees) is due. And this puts men out of a state of nature into that of a commonwealth, by setting up a judge on earth, with authority to determine all the controversies, and redress the injuries that may happen to any member of the commonwealth; which judge is the legislative, or magistrates appointed by it. And where-ever there are any number of men, however associated, that have no such decisive power to appeal to, there they are still in the state of nature.

Sec. 90. Hence it is evident, that absolute monarchy, which by some men is counted the only government in the world, is indeed inconsistent with civil society, and so can be no form of civil-government at all: for the end of civil society, being to avoid, and remedy those inconveniences of the state of nature, which necessarily follow from every man's being judge in his own

case, by setting up a known authority, to which every one of that society may appeal upon any injury received, or controversy that may arise, and which every one of the society ought to obey; where-ever any persons are, who have not such an authority to appeal to, for the decision of any difference between them, there those persons are still in the state of nature; and so is every absolute prince, in respect of those who are under his dominion.

Sec. 91. For he being supposed to have all, both legislative and executive power in himself alone, there is no judge to be found, no appeal lies open to any one, who may fairly, and indifferently, and with authority decide, and from whose decision relief and redress may be expected of any injury or inconvenience, that may be suffered from the prince, or by his order: so that such a man, however entitled, Czar, or Grand Seignior, or how you please, is as much in the state of nature, with all under his dominion, as he is with the rest of mankind: for wherever any two men are, who have no standing rule, and common judge to appeal to on earth, for the determination of controversies of right betwixt them, there they are still in the state of nature, and under all the inconveniences of it, with only this woful difference to the subject, or rather slave of an absolute prince: that whereas, in the ordinary state of nature, he has a liberty to judge of his right, and according to the best of his power, to maintain it; now, whenever his property is invaded by the will and order of his monarch, he has not only no appeal, as those in society ought to have, but as if he were degraded from the common state of rational creatures, is denied a liberty to judge of, or to defend his right; and so is exposed to all the misery and inconveniences, that a man can fear from one, who being in the unrestrained state of nature, is yet corrupted with flattery, and armed with power.

Sec. 92. For he that thinks absolute power purifies men's blood, and corrects the baseness of human nature, need read but the history of this, or any other age, to be convinced of the contrary. He that would have been insolent and injurious in the woods of

America, would not probably be much better in a throne; where perhaps learning and religion shall be found out to justify all that he shall do to his subjects, and the sword presently silence all those that dare question it: for what the protection of absolute monarchy is, what kind of fathers of their countries it makes princes to be and to what a degree of happiness and security it carries civil society, where this sort of government is grown to perfection, he that will look into the late relation of Ceylon, may easily see.

Sec. 93. In absolute monarchies indeed, as well as other governments of the world, the subjects have an appeal to the law, and judges to decide any controversies, and restrain any violence that may happen betwixt the subjects themselves, one amongst another. This every one thinks necessary, and believes he deserves to be thought a declared enemy to society and mankind, who should go about to take it away. But whether this be from a true love of mankind and society, and such a charity as we owe all one to another, there is reason to doubt: for this is no more than what every man, who loves his own power, profit, or greatness, may and naturally must do, keep those animals from hurting, or destroying one another, who labour and drudge only for his pleasure and advantage; and so are taken care of, not out of any love the master has for them, but love of himself, and the profit they bring him: for if it be asked, what security, what fence is there, in such a state, against the violence and oppression of this absolute ruler? the very question can scarce be borne. They are ready to tell you, that it deserves death only to ask after safety. Betwixt subject and subject, they will grant, there must be measures, laws and judges, for their mutual peace and security: but as for the ruler, he ought to be absolute, and is above all such circumstances; because he has power to do more hurt and wrong, it is right when he does it. To ask how you may be guarded from harm, or injury, on that side where the strongest hand is to do it, is presently the voice of faction and rebellion: as if when men quitting the state of nature entered into society, they agreed that all of them but one, should be under the restraint of laws, but that he should still retain all the liberty of the state of nature, increased with power, and made licentious by impunity. This is to think, that men are so foolish, that they take care to avoid what mischiefs may be done them by pole-cats, or foxes; but are content, nay, think it safety, to be devoured by lions.

Sec. 94. But whatever flatterers may talk to amuse people's understandings, it hinders not men from feeling; and when they perceive, that any man, in what station soever, is out of the bounds of the civil society which they are of, and that they have no appeal on earth against any harm, they may receive from him, they are apt to think themselves in the state of nature, in respect of him whom they find to be so; and to take care, as soon as they can, to have that safety and security in civil society, for which it was first instituted, and for which only they entered into it. And therefore, though perhaps at first, (as shall be showed more at large hereafter in the following part of this discourse) some one good and excellent man having got a pre eminency amongst the rest, had this deference paid to his goodness and virtue, as to a kind of natural authority, that the chief rule, with arbitration of their differences, by a tacit consent devolved into his hands, without any other caution, but the assurance they had of his uprightness and wisdom; yet when time, giving authority, and (as some men would persuade us) sacredness of customs, which the negligent, and unforeseen innocence of the first ages began, had brought in successors of another stamp, the people finding their properties not secure under the government, as then it was, (whereas government has no other end but the preservation of * property) could never be safe nor at rest, nor think themselves in civil society, till the legislature was placed in collective bodies of men, call them senate, parliament, or what you please. By which means every single person became subject, equally with other the meanest men, to those laws, which he himself, as part of the legislative, had established; nor could any one, by his own authority; avoid the force of the law, when once made; nor by any pretense of superiority plead exemption, thereby to license his own, or the miscarriages of any of his dependents.** No man in civil society can be exempted from the laws of it: for if any man may do what he thinks fit, and there be no appeal on earth, for redress or security against any harm he shall do; I ask, whether he be not perfectly still in the state of nature, and so can be no part or member of that civil society; unless any one will say, the state of nature and civil society are one and the same thing, which I have never yet found any one so great a patron of anarchy as to affirm.



SOCIAL CONTRACT

JEAN JACQUES ROUSSEAU

1763
PARIS

Similar to Locke, Rousseau believed human nature was essentially good, but we are corrupted through competition with each other. We therefore enter into a social contract for protection.

Rousseau's writing dives deeper into the role of government and the responsibilities of citizens.

Origin and Terms of the Social Contract

Man was born free, but everywhere he is in chains. This man believes that he is the master of others, and still he is more of a slave than they are. How did that transformation take place? I don't know. How may the restraints on man become legitimate? I do believe I can answer that question....

At a point in the state of nature when the obstacles to human preservation have become greater than each individual with his own strength can cope with . . . , an adequate combination of forces must be the result of men coming together. Still, each man's power and freedom are his main means of self-preservation. How is he to put them under the control of others without damaging himself? ...

This question might be rephrased: "How is a method of associating to be found which will defend and protect - using the power of all-the person and property of each member and still enable each member of the group to obey only himself and to remain as free as before?" This is the fundamental problem; the social contract offers a solution to it.

The very scope of the action dictates the terms of this contract and renders the least modification of them inadmissible, something making them null and void. Thus, although perhaps they have never been stated in so many words, they are the same everywhere and tacitly conceded and recognized everywhere. And so it follows that each individual immediately recovers his primitive rights and natural liberties whenever any violation of the social contract occurs and thereby loses the contractual freedom for which he renounced them.

The social contract's terms, when they are well understood, can be reduced to a single stipulation: the individual member alienates himself totally to the whole community together with all his rights. This is first because conditions will be the same for everyone when each individual gives himself totally, and secondly, because no one will be tempted to make that condition of shared equality worse for other men....

Once this multitude is united this way into a body, an offense against one of its members is an offense against the body politic. It would be even less possible to injure the body without its members feeling it. Duty and interest thus equally require the two contracting parties to aid each other mutually. The individual people should be motivated from their double roles as individuals and members of the body, to combine all the advantages which mutual aid offers them....

Individual Wills and the General Will

In reality, each individual may have one particular will as a man that is different from-or contrary to-the general will which he has as a citizen. His own particular interest may suggest other things to him than the common interest does. His separate, naturally independent existence may make him imagine that what he owes to the common cause is an incidental contribution - a contribution which will cost him more to give than their failure to receive it would harm the others. He may also regard the moral person of the State as an imaginary being since it is not a man, and wish to enjoy the rights of a citizen without performing the duties of a subject. This unjust attitude could cause the ruin of the body politic if it became widespread enough.

So that the social pact will not become meaningless words, it tacitly includes this commitment, which alone gives power to the others: Whoever refuses to obey the general will shall be forced to obey it by the whole body politic, which means nothing else but that he will be forced to be free. This condition is indeed the one which by dedicating each citizen to the fatherland gives him a guarantee against being personally dependent on other individuals. It is the condition which all political machinery depends on and which alone makes political undertakings legitimate. Without it, political actions become absurd, tyrannical, and subject to the most outrageous abuses.

Whatever benefits he had in the state of nature but lost in the civil state, a man gains more than enough new ones to make up for them. His capabilities are put to good use and developed; his ideas are enriched, his sentiments made more noble, and his soul elevated to the extent that - if the abuses in this new condition did not often degrade him to a condition lower than the one he left behind - he would have to keep blessing this happy moment which snatched him away from his previous state and which made an intelligent being and a man out of a stupid and very limited animal....

Property Rights

In dealing with its members, the State controls all their goods under the social contract, which serves as the basis for all rights within the State, but it controls them only through the right of first holder which individuals convey to the State....

A strange aspect of this act of alienating property rights to the state is that when the community takes on the goods of its members, it does not take these goods away from them. The community does nothing but assure its members of legitimate possession of goods, changing mere claims of possession into real rights and customary use into property.... Through an act of transfer having advantages for the public but far more for themselves they have, so to speak, really acquired everything they gave up....

Indivisible, Inalienable Sovereignty

The first and most important conclusion from the principles we have established thus far is that the general will alone may direct the forces of the State to achieve the goal for which it was founded, the common good....

Sovereignty is indivisible ... and is inalienable.... A will is general or it is not: it is that of the whole body of the people or only of one faction. In the first instance, putting the will into words and force is an act of sovereignty: the will becomes law. In the second instance, it is only a particular will or an administrative action; at the very most it is a decree.

Our political theorists, however, unable to divide the source of sovereignty, divide sovereignty into the ways it is applied. They divide it into force and will; into legislative power and executive power; into the power to tax, the judicial power, and the power to wage war; into internal administration and the power to negotiate with foreign countries. Now we see them running these powers together. Now they will proceed to separate them. They make the sovereign a being of fantasy, composed of separate pieces, which would be like putting a man together from several bodies, one having eyes, another arms, another feet—nothing more. Japanese magicians are said to cut up a child before the eyes of spectators, then throw the pieces into the air one after the other, and then cause the child to drop down reassembled and alive again. That is the sort of magic trick our political theorists perform. After having dismembered the social body with a trick worthy of a traveling show, they reassemble the pieces without anybody knowing how....

If we follow up in the same way on the other divisions mentioned, we find that we are deceived every time we believe we see sovereignty divided. We find that the jurisdictions we have thought to be exercised as parts of sovereignty in reality are subordinate to the [one] sovereign power. They presuppose supreme wills, which they merely carry out in their jurisdictions

Need for Citizen Participation, Not Representation

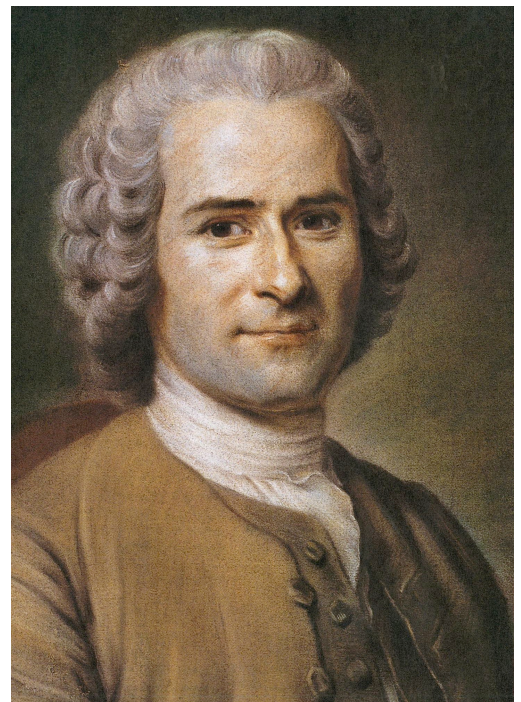
It follows from the above that the general will is always in the right and inclines toward the public good, but it does not follow that the deliberations of the people always have the same rectitude. People always desire what is good, but they do not always see what is good. You can never corrupt the people, but you can often fool them, and that is the only time that the people appear to will something bad....

If, assuming that the people were sufficiently informed as they made decisions and that the citizens did not communicate with each other, the general will would always be resolved from a great number of small differences, and the deliberation would always be good. But when blocs are formed, associations of parts at the expense of the whole, the will of each of these associations will be general as far as its members are concerned but particular as far as the State is concerned. Then we may say that there are no longer so many voters as there are men present but as many as there are associations. The differences will become less numerous and will yield less general results. Finally, when one of these associations becomes so strong that it dominates the others, you no longer have the sum of minor differences as a result but rather one single [unresolved] difference, with the result that there no longer is a general will, and the view that prevails is nothing but one particular view....

But we must also consider the private persons who make up the public, apart from the public personified, who each have a life and liberty independent of it. It is very necessary for us to distinguish between the respective rights of the citizens and the sovereign and between the duties which men must fulfill in their role as subjects from the natural rights they should enjoy in their role as men.

It is agreed that everything which each individual gives up of his power, his goods, and his liberty under the social contract is only that part of all those things which is of use to the community, but it is also necessary to agree that the sovereign alone is the judge of what that useful part is.

All the obligations which a citizen owes to the State he must fulfill as soon as the sovereign asks for them, but the sovereign in turn cannot impose any obligation on subjects which is not of use to the community. If fact, the sovereign cannot even wish to



do so, for nothing can take place without a cause according to the laws of reason, any more than according to the laws of nature [and the sovereign community will have no cause to require anything beyond what is of communal use]....

Government . . . is wrongly confused with the sovereign, whose agent it is. What then is government? It is an intermediary body established between the subjects and the sovereign to keep them in touch with each other. It is charged with executing the laws and maintaining both civil and political liberty.... The only will dominating government ... should be the general will or the law. The government's power is only the public power vested in it. As soon as [government] attempts to let any act come from itself completely independently, it starts to lose its intermediary role. If the time should ever come when the [government] has a particular will of its own stronger than that of the sovereign and makes use of the public power which is in its hands to carry out its own particular will-when there are thus two sovereigns, one in law and one in fact-at that moment the social union will disappear and the body politic will be dissolved.

Once the public interest has ceased to be the principal concern of citizens, once they prefer to serve State with money rather than with their persons, the State will be approaching ruin. Is it necessary to march into combat? They will pay some troops and stay at home. Is it necessary to go to meetings? They will name some deputies and stay at home. Laziness and money finally leave them with soldiers to enslave their fatherland and representatives to sell it....

Sovereignty cannot be represented.... Essentially, it consists of the general will, and a will is not represented: either we have it itself, or it is something else; there is no other possibility. The deputies of the people thus are not and cannot be its representatives. They are only the people's agents and are not able to come to final decisions at all. Any law that the people have not ratified in person is void, it is not a law at all.

Sovereignty and Civil Religion

Now then, it is of importance to the State that each citizen should have a religion requiring his devotion to duty; however, the dogmas of that religion are of no interest to the State except as they relate to morality and to the duties which each believer is required to perform for others. For the rest of it, each person may have whatever opinions he pleases....

It follows that it is up to the sovereign to establish the articles of a purely civil faith, not exactly as dogmas of religion but as sentiments of social commitment without which it would be impossible to be either a good citizen or a faithful subject.... While the State has no power to oblige anyone to believe these articles, it may banish anyone who does not believe them. This banishment is not for impiety but for lack of social commitment, that is, for being incapable of sincerely loving the laws and justice or of sacrificing his life to duty in time of need. As for the person who conducts himself as if he does not believe them after having publicly stated his belief in these same dogmas, he deserves the death penalty. He has lied in the presence of the laws.

The dogmas of civil religion should be simple, few in number, and stated in precise words without interpretations or commentaries. These are the required dogmas: the existence of a powerful, intelligent Divinity, who does good, has foreknowledge of all, and provides for all; the life to come; the happy rewards of the just; the punishment of the wicked; and the sanctity of the social contract and the laws. As for prohibited articles of faith, I limit myself to one: intolerance. Intolerance characterizes the religious persuasions we have excluded.



ON CRIME AND PUNISHMENTS

CAESARE BECCARIA

**1764
MILAN, LOMBARDY**

The founding fathers were heavily influenced by Cesare Beccaria's arguments against torture and capital punishment.

Beccaria's reasoning focuses on the pragmatic issues of criminal justice and the challenges of truly achieving justice through torture.

The true relations between sovereigns and their subjects, and between nations, have been discovered. Commerce has been reanimated by the common knowledge of philosophical truths diffused by the art of printing, and there has sprung up among nations a tacit rivalry of industriousness that is most humans and truly worthy of rational beings. Such good things we owe to the productive enlightenment of this age. But very few persons have studied and fought against the cruelty of punishments and the irregularities of criminal procedures, a part of legislation that is as fundamental as it is widely neglected throughout in almost all of Europe. Very few persons have undertaken to demolish the accumulated errors of centuries by rising to general principles, curbing, at least, with the sole force that acknowledged truths possess, the unbounded course of ill-directed power which has continually produced a long and authorized example of the most cold-blooded barbarity. And yes the groans of the weak, sacrificed to cruel ignorance and to opulent indolence the barbarous torments, multiplied with lavish and un-less severity, for crimes wither not proved or wholly imaginary; the filth and horrors of a prison, intensified by the cruelest tormentor of the miserable, uncertainty - all these ought to have roused that breed of magistrates who direct the opinions of men . . .

But What are to be the proper punishments for such crimes?

Is the death-penalty really *useful* and *necessary* for the security and good order of society? Are torture and torments *just*, and do they attain the *end* for which laws are instituted? What is the best way to prevent crimes? Are the same punishments

equally effective for all times? What influence have they on customary behavior? These problems deserve to be analyzed with that geometric precision which the mist of sophisms, seductive eloquence, and timorous doubt cannot withstand. If I could boast only of having been the first to present to Italy, with little more clarity, what other nations have boldly written and are beginning to practice, I would account myself fortunate. But if, by defending the rights of man and the unconquerable truth, I should help to save from the spasm and agonies of death some wretched victim of tyranny or of no less fatal ignorance, the thanks and tears of one innocent mortal in his transports of joy would console me for the contempt of all mankind. . .

A cruelty consecrated by the practice of most nations is torture of the accused during his trial, either to make him confess to the crime or to clear up contradictory statements, or to discover accomplices, or to purge him of infamy in some metaphysical and incomprehensible way, or finally, to discover other crimes of which he might be guilty but of which he is not accused.

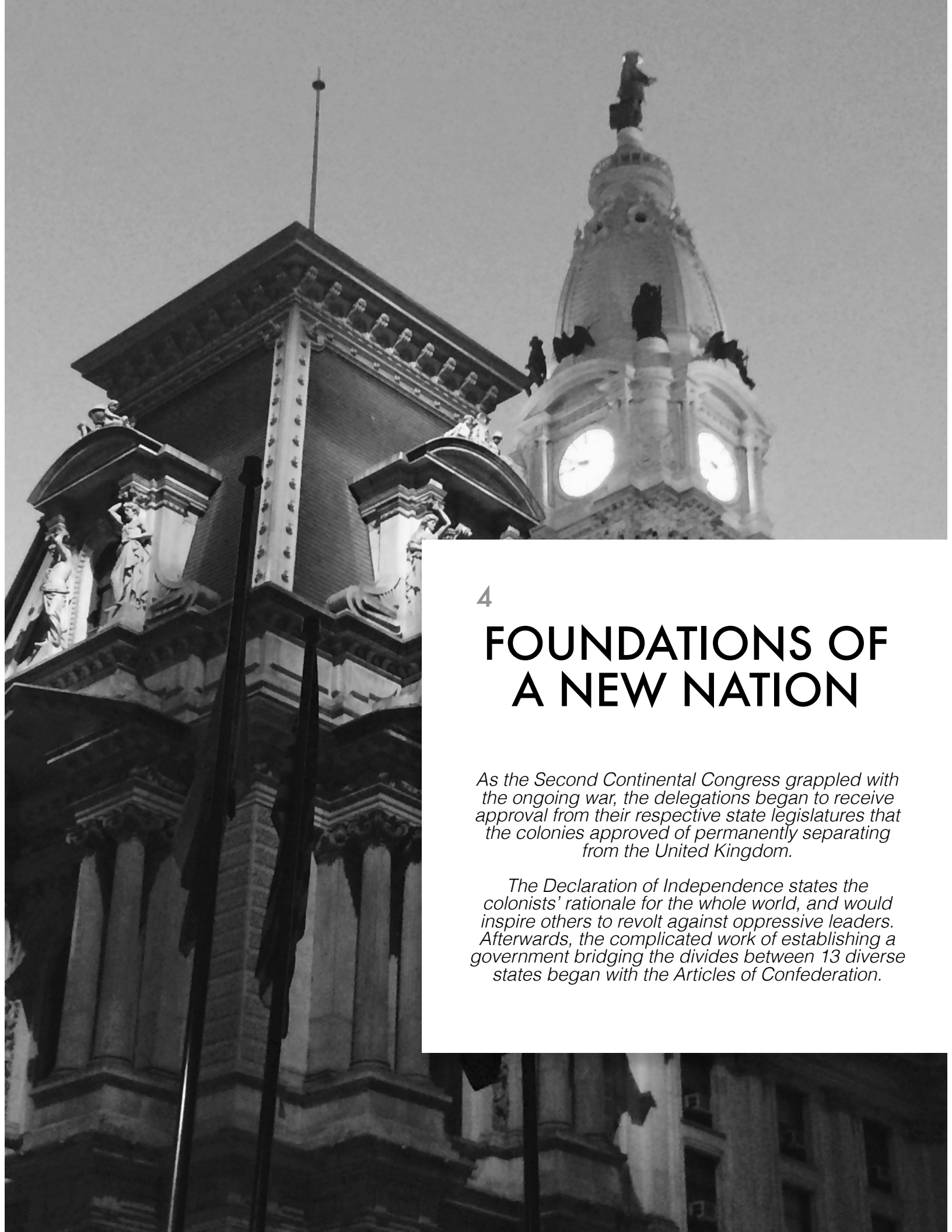
No man can be called *guilty* before a judge has sentenced him, nor can society deprive him of public protection before it has been decided that he has in fact violated the conditions under which such protection was accorded him. What right is it, then, if not simply that of might, which empowers a judge to inflict punishment on a citizen while doubt still remains about his guilt or innocence? Here is the dilemma, which is nothin new: the fact of the crime is either certain or uncertain; if certain, all that is due is the punishment established by the laws, and the tortures are useless because the criminal's confessions are useless; if uncertain, then one must not torture the innocent, for such, according to the laws, is a man whose crimes are not yet proved. . .

. . . The impression of pain may become so great that, filling the entire sensory capacity of the tortured person, it leaves him free only to choose what for the moment is the shortest way to escape from pain. The response of the accused is then and inevitable as the impressions of fire and water. The sensitive innocent man will then confess himself guilty when he believes that, by so doing, he can put an end to his torment. Every difference between guilt and innocence disappears by virtue of the very means one pretends to be using to discover it. (Torture) is an infallible means indeed — for absolving robust scoundrels and for condemning innocent persons who happen to be weak. Such are the fatal defects of this so-called criterion of truth, a criterion fit for a cannibal. . .

Of two men, equally innocent or equally guilty, the strong and courageous will be acquitted, the weak and timid condemned, by virtue of this rigid and rational argument: "I the judge, was supposed to find you guilty of such and such crime; you, the strong, have been able to resist the pain, and I therefore absolve you; you, the weak, have yielded, and I therefore condemn you. I am aware that a confession wrenched forth by torments ought to be of no weight whatsoever, but I'll torment you again if you don't confirm what you have confessed." . . .

A strange consequence that necessarily follows from the use of torture is the innocent person is placed in a condition worse than the guilty, for if both are tortured, the circumstances are all against the former. Either he confesses to the crime and is condemned, or he is declared innocent and has suffered a great punishment he did not deserve. The guilty man, on the contrary, finds himself in a favorable situation; that is, the consequence of having firmly resisted torture, he is absolved as innocent, he will have escaped a greater punishment by enduring a lesser one. Thus, the innocent cannot but lose, whereas the guilty may gain. . .

It would be superfluous to [cite] . . . the innumerable examples of innocent persons who have confessed themselves criminals because of the agonies of torture; there is on nation, there is no age that does not have its own to cite.



4

FOUNDATIONS OF A NEW NATION

As the Second Continental Congress grappled with the ongoing war, the delegations began to receive approval from their respective state legislatures that the colonies approved of permanently separating from the United Kingdom.

The Declaration of Independence states the colonists' rationale for the whole world, and would inspire others to revolt against oppressive leaders. Afterwards, the complicated work of establishing a government bridging the divides between 13 diverse states began with the Articles of Confederation.

IN CONGRESS, JULY 4, 1776.

The unanimous Declaration of the thirteen united States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation. — We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world. — He has refused his Assent to Laws, the most wholesome and necessary for the public good. — He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them. — He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only. — He has called together legislative Bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures. — He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people. — He has refused for along time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within. — He has endeavoured to prevent the Population of these States; for that purpose obstructing the Law for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands. — He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers. — He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries. — He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance. — He has kept among us, in times of peace, Standing Armies without the Consent of our Legislature. — He has affected to render the Military independent of and superior to the Civil power. — He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation: — For quartering large bodies of armed troops among us: — For retaining them, by a mock Trial, from their Dismissment for any Murders which they should commit on the Inhabitants of these States: — For cutting off

IN CONGRESS, July 4, 1776.

DECLARATION OF INDEPENDENCE

THOMAS JEFFERSON

JULY 4, 1776
PHILADELPHIA

Within two months, the Declaration of Independence was translated into native languages throughout Europe. As revolutionary as the document was, many could recognize the numerous Enlightenment influences.

Over half of the 192 UN recognized countries have a "Declaration of Independence" of some kind, asserting sovereignty and breaking from an imperial power. Many of these documents show clear links to Jefferson's words.

The unanimous Declaration of the thirteen united States of America,

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

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He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

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He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

- For Quartering large bodies of armed troops among us:
- For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States
- For cutting off our Trade with all parts of the world
- For imposing Taxes on us without our Consent
- For depriving us in many cases, of the benefits of Trial by Jury
- For transporting us beyond Seas to be tried for pretended offenses
- For abolishing the free System of English Laws in a neighboring Province, establishing therein an arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies
- For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments
- For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. 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.

President of Congress (Massachusetts)



New Hampshire
Josiah Bartlett
William Whipple
Matthew Thornton

Massachusetts
Samuel Adams
John Adams
Robert Treat Paine
Elbridge Gerry

Rhode Island
Stephen Hopkins
William Ellery

Connecticut
Roger Sherman
Samuel Huntington
William Williams
Oliver Wolcott

New York
William Floyd
Philip Livingston
Francis Lewis
Lewis Morris

New Jersey
Richard Stockton
John Witherspoon
Francis Hopkinson
John Hart
Abraham Clark

Maryland
Samuel Chase
William Paca
Thomas Stone
Charles Carroll of Carrollton

Pennsylvania
Robert Morris
Benjamin Rush
Benjamin Franklin
John Morton
George Clymer
James Smith
George Taylor
James Wilson
George Ross

Delaware
George Read
Caesar Rodney
Thomas McKean

Virginia
George Wythe
Richard Henry Lee
Thomas Jefferson
Benjamin Harrison
Thomas Nelson, Jr.
Francis Lightfoot Lee
Carter Braxton

North Carolina
William Hooper
Joseph Hewes
John Penn

South Carolina
Edward Rutledge
Thomas Heyward, Jr.
Thomas Lynch, Jr.
Arthur Middleton

Georgia
Button Gwinnett
Lyman Hall
George Walton

and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

Article I. The Stile of this confederacy shall be "The United States of America".

Article II. Each state retains its sovereignty, freedom and independence, and every Power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

Article III. The said states hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their Liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatsoever.

Article IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have

THE ARTICLES OF CONFEDERATION

RATIFIED MARCH 1, 1781

Eight days after signing the Declaration of Independence, the Second Continental Congress formed a committee to develop a new framework outlining the relationship between the states as an independent nation. After a year of writing and several more for ratification, the Articles of Confederation became the political framework for the end of the Revolutionary War and the first four years after our victory.

Celebrating regionalism, the Articles of Confederation had to be amended later to address growing issues in the new republic. We still study this document to evaluate what was feasible and infeasible from this political model.

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting.

Articles of Confederation and perpetual Union between the states of New Hampshire, Massachusetts-Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.

Article I. The Stile of this Confederacy shall be "The United States of America".

Article II. Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled.

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property imported into any State, to any other State, of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them.

If any person guilty of, or charged with, treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of the United States, he shall, upon demand of the Governor or executive power of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offense.

Full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State.

Article V. For the most convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislatures of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates, or any of them, at any time within the year, and to send others in their stead for the remainder of the year.

No State shall be represented in Congress by less than two, nor more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees or emolument of any kind.

Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States.

In determining questions in the United States in Congress assembled, each State shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress, and the members of Congress shall be protected in their persons from arrests or imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

Article VI. No State, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King, Prince or State; nor shall any person holding any office of profit or trust under the United States, or any of them, accept any present, emolument, office or title of any kind whatever from any King, Prince or foreign State; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the United States in Congress assembled, with any King, Prince or State, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain.

No vessel of war shall be kept up in time of peace by any State, except such number only, as shall be deemed necessary by the United States in Congress assembled, for the defense of such State, or its trade; nor shall any body of forces be kept up by any State in time of peace, except such number only, as in the judgement of the United States in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defense of such State; but every State shall always keep up a well-regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of filed pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay till the United States in Congress assembled can be consulted; nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the Kingdom or State and the subjects thereof,

against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

Article VII. When land forces are raised by any State for the common defense, all officers of or under the rank of colonel, shall be appointed by the legislature of each State respectively, by whom such forces shall be raised, or in such manner as such State shall direct, and all vacancies shall be filled up by the State which first made the appointment.

Article VIII. All charges of war, and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States in proportion to the value of all land within each State, granted or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled, shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several States within the time agreed upon by the United States in Congress assembled.

Article IX. The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article -- of sending and receiving ambassadors -- entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever -- of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated -- of granting letters of marque and reprisal in times of peace -- appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more States concerning boundary, jurisdiction or any other causes whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any State in controversy with another shall present a petition to Congress stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as Congress shall direct, shall in the presence of Congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the secretary of Congress shall strike in behalf of such party absent or refusing; and the judgement and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgement, which shall in like manner be final and decisive, the judgement or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: provided that every commissioner, before he sits in judgement, shall take an oath to be administered by one of the judges of the supreme or superior court of the State, where the cause shall be tried, 'well and truly to hear and determine the matter in question, according to the best of his judgement, without favor, affection or hope of reward': provided also, that no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdictions as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States -- fixing the standards of weights and measures throughout the United States -- regulating the trade and managing all affairs with the Indians, not members of any of the States, provided that the legislative right of any State within its own limits be not infringed or violated -- establishing or regulating post offices from one State to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office -- appointing all officers of the land forces, in the service of the United States, excepting regimental officers -- appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States -- making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated 'A Committee of the States', and to consist of one delegate from each State; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction -- to appoint one of their members to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses -- to borrow money, or emit bills on the credit of the United States, transmitting every half-year to the respective States an account of the sums of money so borrowed or emitted -- to build and equip a navy -- to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State; which requisition shall be binding, and thereupon the legislature of each State shall appoint the regimental officers, raise the men and cloth, arm and equip them in a solid-like manner, at the expense of the United States; and the officers and men so clothed, armed and equipped shall march to the place appointed, and within the time agreed on by the United States in Congress assembled. But if the United States in Congress assembled shall, on consideration of circumstances judge proper that any State should not raise men, or should raise a smaller number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed and equipped in the same manner as the quota of each State, unless the legislature of such State shall judge that such extra number cannot be safely spread out in the same, in which case they shall raise, officer, clothe, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war, nor grant letters of marque or reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of the majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgement require secrecy; and the yeas and nays of the delegates of each State on any question shall be entered on the journal, when it is desired by any delegates of a State, or any of them, at his or their request shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several States.

Article X. The Committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of the nine States, shall from time to time think expedient to vest them with; provided that no power be delegated to the said Committee, for the exercise of which, by the Articles of Confederation, the voice of nine States in the Congress of the United States assembled be requisite.

Article XI. Canada acceding to this confederation, and adjoining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

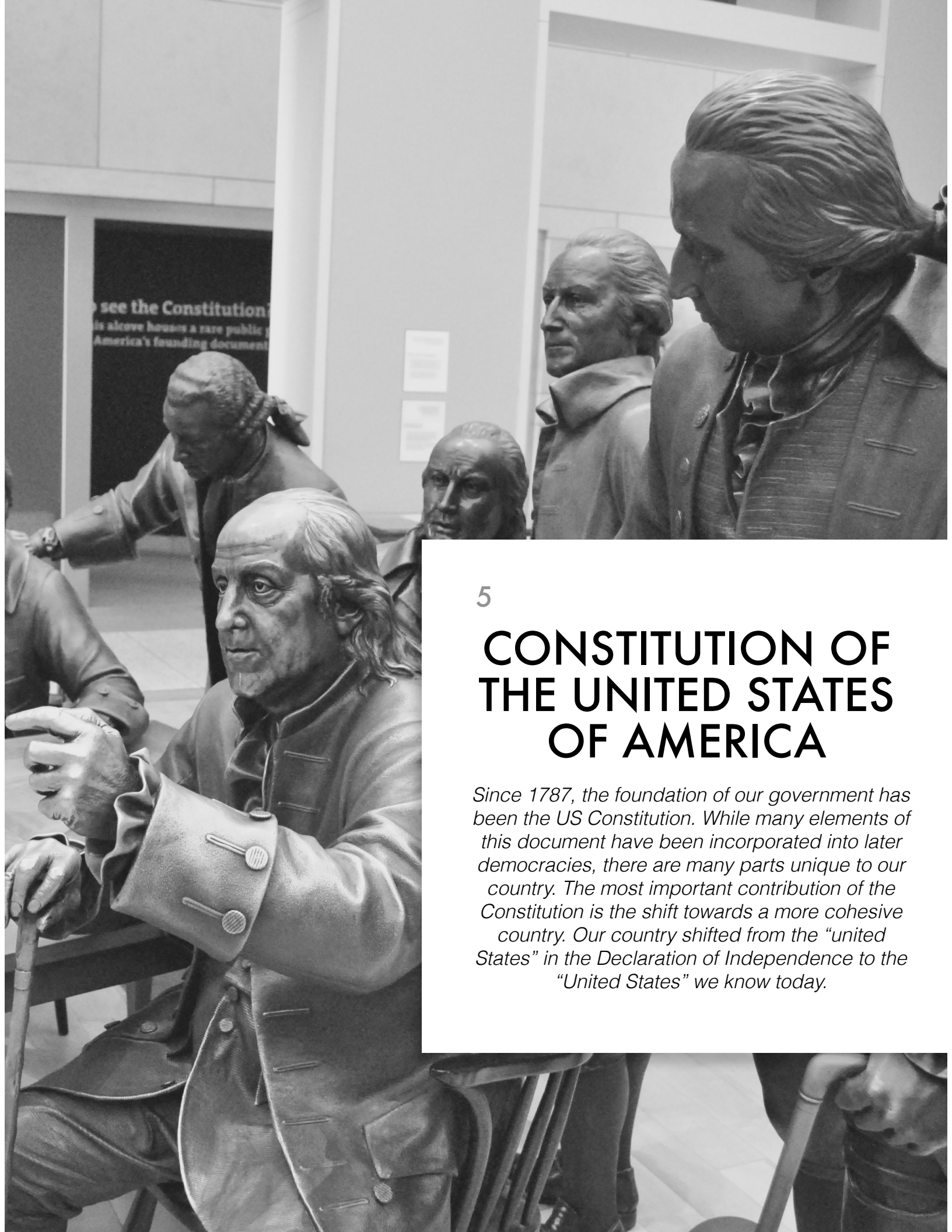
Article XII. All bills of credit emitted, monies borrowed, and debts contracted by, or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States, and the public faith are hereby solemnly pledged.

Article XIII. Every State shall abide by the determination of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every State.

And Whereas it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said Articles of Confederation and perpetual Union. Know Ye that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said Articles of Confederation and perpetual Union, and all and singular the matters and things therein contained: And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions, which by the said Confederation are submitted to them. And that the Articles thereof shall be inviolably observed by the States we respectively represent, and that the Union shall be perpetual.

In Witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the State of Pennsylvania the ninth day of July in the Year of our Lord One Thousand Seven Hundred and Seventy-Eight, and in the Third Year of the independence of America.

Agreed to by Congress 15 November 1777 In force after ratification by Maryland, 1 March 1781



5

CONSTITUTION OF THE UNITED STATES OF AMERICA

Since 1787, the foundation of our government has been the US Constitution. While many elements of this document have been incorporated into later democracies, there are many parts unique to our country. The most important contribution of the Constitution is the shift towards a more cohesive country. Our country shifted from the “united States” in the Declaration of Independence to the “United States” we know today.

CONSTITUTION OF THE UNITED STATES

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.

Article I

Section 1

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen

every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section 4

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section 5

Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6

The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be re-passed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States:

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise

like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9

The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 10

No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Article II

Section 1

The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately choose by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner choose the President. But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall choose from them by Ballot the Vice President.

The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"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."

Section 2

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Ap-

pointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3

He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4

The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Article III

Section 1

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Section 2

The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;— between a State and Citizens of another State,—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3

Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

Article IV

Section 1

Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section 2

The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States. A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Section 3

New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Section 4

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic Violence.

Article V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Article VI

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Article VII

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Attest William Jackson Secretary

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth In witness whereof We have hereunto subscribed our Names,

George Washington

Convention President and Deputy from Virginia

Delaware

George Read
Gunning Bedford, Jr.
John Dickinson
Richard Bassett
Jacob Broom

Maryland

James McHenry
Daniel of St. Thomas Jenifer
Daniel Carroll

Virginia

John Blair
James Madison Jr.

North Carolina

William Blount
Richard Dobbs Spaight
Hugh Williamson

South Carolina

J. Rutledge
Charles Cotesworth Pinckney
Charles Pinckney
Pierce Butler

Georgia

William Few
Abraham Baldwin

New Hampshire

John Langdon
Nicholas Gilman

Massachusetts

Nathaniel Gorham
Rufus King

Connecticut

William Samuel Johnson
Roger Sherman

New York

Alexander Hamilton

New Jersey

William Livingston
David Brearley
William Paterson
Jonathan Dayton

Pennsylvania

Benjamin Franklin
Thomas Mifflin
Robert Morris
George Clymer
Thomas FitzSimons
Jared Ingersoll
James Wilson
Gouverneur Morris

THE BILL OF RIGHTS

Congress of the United States

begun and held at the City of New-York, on
Wednesday the fourth of March, one thousand seven hundred and eighty nine.

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

(Amendment Not Ratified) After the first enumeration required by the first article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

(Amendment Ratified in 1992 - Amendment XXVII) No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

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

(Amendment II) A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

(Amendment III) No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

(Amendment IV) The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

(Amendment V) No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia,

when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

(Amendment VI) In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

(Amendment VII) In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

(Amendment VIII) Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

(Amendment IX) The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

(Amendment X) The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ATTEST,

Frederick Augustus Muhlenberg, Speaker of the House of Representatives
John Adams, Vice-President of the United States, and President of the Senate
John Beckley, Clerk of the House of Representatives.
Sam. A Otis Secretary of the Senate

AMENDMENTS 11-27

AMENDMENT XI

Passed by Congress March 4, 1794. Ratified February 7, 1795.

Note: Article III, section 2, of the Constitution was modified by amendment 11.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

AMENDMENT XII

Passed by Congress December 9, 1803. Ratified June 15, 1804.

Note: A portion of Article II, section 1 of the Constitution was superseded by the 12th amendment.

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;

The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;

The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice.

[And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President.]*

The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

**Superseded by section 3 of the 20th amendment.*

AMENDMENT XIII

Passed by Congress January 31, 1865. Ratified December 6, 1865.

Note: A portion of Article IV, section 2, of the Constitution was superseded by the 13th amendment.

Section 1.

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XIV

Passed by Congress June 13, 1866. Ratified July 9, 1868.

Note: Article I, section 2, of the Constitution was modified by section 2 of the 14th amendment.

Section 1

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

Section 2

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age,* and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

**Changed by section 1 of the 26th amendment.*

Section 3

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5

The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

AMENDMENT XV

Passed by Congress February 26, 1869. Ratified February 3, 1870.

Section 1

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2

The Congress shall have the power to enforce this article by appropriate legislation.

AMENDMENT XVI

Passed by Congress July 2, 1909. Ratified February 3, 1913.

Note: Article I, section 9, of the Constitution was modified by amendment 16.

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

AMENDMENT XVII

Passed by Congress May 13, 1912. Ratified April 8, 1913.

Note: Article I, section 3, of the Constitution was modified by the 17th amendment.

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

AMENDMENT XVIII

Passed by Congress December 18, 1917. Ratified January 16, 1919. Repealed by amendment 21.

Section 1

After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2

The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XIX

Passed by Congress June 4, 1919. Ratified August 18, 1920.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XX

Passed by Congress March 2, 1932. Ratified January 23, 1933.

Note: Article I, section 4, of the Constitution was modified by section 2 of this amendment. In addition, a portion of the 12th amendment was superseded by section 3.

Section 1

The terms of the President and the Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2

The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section 3

If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4

The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5

Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

AMENDMENT XXI

Passed by Congress February 20, 1933. Ratified December 5, 1933.

Section 1

The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2

The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XXII

Passed by Congress March 21, 1947. Ratified February 27, 1951.

Section 1

No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

AMENDMENT XXIII

Passed by Congress June 16, 1960. Ratified March 29, 1961.

Section 1

The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXIV

Passed by Congress August 27, 1962. Ratified January 23, 1964.

Section 1

The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXV

Passed by Congress July 6, 1965. Ratified February 10, 1967.

Note: Article II, section 1, of the Constitution was affected by the 25th amendment.

Section 1

In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2

Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section 3

Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4

Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

AMENDMENT XXVI

Passed by Congress March 23, 1971. Ratified July 1, 1971.

Note: Amendment 14, section 2, of the Constitution was modified by section 1 of the 26th amendment.

Section 1

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXVII

Originally proposed Sept. 25, 1789. Ratified May 7, 1992.

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.



6

THE FEDERALIST & ANTI-FEDERALIST PAPERS

After the Constitutional Convention concluded, supporters campaigned for ratification through a series of organized “letters to the editor” in various newspapers.

Those opposed to the Constitution responded to the “Federalist Papers” with their own letters. The “Anti-Federalist Papers” were not planned out, and were organized in 1965 by Columbia Professor Morton Borden.



FEDERALIST NO. 1

**ALEXANDER HAMILTON
(UNDER PSEUDONYM PUBLIUS)**

**OCTOBER 27, 1787
NEW YORK**

After full experience of the insufficiency of the subsisting federal government, you are invited to deliberate on a New Constitution for the United States of America. The subject speaks its own importance; comprehending in its consequences, nothing less than the existence of the UNION, the safety and welfare of the parts of which it is composed, the fate of an empire, in many respects, the most interesting in the world. It has been frequently remarked, that it seems to have been reserved to the people of this country to decide, by their conduct and example, the important question, whether societies of men are really capable or not, of establishing good government from reflection and choice, or whether they are forever destined to depend, for their political constitutions, on accident and force. If there be any truth in the remark, the crisis at which we are arrived may, with propriety, be regarded as the period when that decision is to be made; and a wrong election of the part we shall act may, in this view, deserve to be considered as the general misfortune of mankind.

This idea, by adding the inducements of philanthropy to those of patriotism, will heighten the solicitude which all considerate and good men must feel for the event. Happy will it be if our choice should be directed by a judicious estimate of our true interests, uninfluenced by considerations foreign to the public good. But this is more ardently to be wished for, than seriously to be expected. The plan offered to our deliberations, affects too many particular interests, innovates upon too many local institutions, not to involve in its discussion a variety of objects ex-

traneous to its merits, and of views, passions and prejudices little favorable to the discovery of truth.

Among the most formidable of the obstacles which the new constitution will have to encounter may readily be distinguished the obvious interest of a certain class of men in every state to resist all changes which may hazard a diminution of the power, emolument and consequence of the offices they hold under the state establishments. . . and the perverted ambition of another class of men, who will either hope to aggrandize themselves by the confusions of their country, or will flatter themselves with fairer prospects of elevation from the subdivision of the empire into several partial confederacies, than from its union under one government.

It is not, however, my design to dwell upon observations of this nature. I am aware that it would be disingenuous to resolve indiscriminately the opposition of any set of men into interested or ambitious views, merely because their situations might subject them to suspicion. Candour will oblige us to admit, that even such men may be actuated by upright intentions; and it cannot be doubted, that much of the opposition, which has already shown itself, or that may hereafter make its appearance, will spring from sources blameless at least, if not respectable respectable . . . the honest errors of minds led astray by preconceived jealousies and fears. So numerous indeed and so powerful are the causes which serve to give a false bias to the judgment, that we, upon many occasions, see wise and good men on the wrong as well as on the right side of questions, of the first magnitude to society. This circumstance, if duly attended to, would always furnish a lesson of moderation to those, who are engaged in any controversy, however well persuaded of being in the right. And a further reason for caution, in this respect, might be drawn from the reflection, that we are not always sure, that those who advocate the truth are activated by purer principles than their antagonists. Ambition, avarice, personal animosity, party opposition, and many other motives, not more laudable than these, are apt to operate as well upon those who support, as those who oppose, the right side of a question. Were there not even these inducements to moderation, nothing could be more ill judged than that intolerant spirit, which has, at all times, characterized political parties. For, in politics as in religion, it is equally absurd to aim at making proselytes by fire and sword. Heresies in either can rarely be cured by persecution.

And yet, just as these sentiments must appear to candid men, we have already sufficient indications, that it will happen in this as, in all former cases of great national discussion. A torrent of angry and malignant passions will be let loose. To judge from the conduct of the opposite parties, we shall be led to conclude, that they will mutually hope to evince the justness of their opinions, and to increase the number of their converts, by the loudness of their declamations, and by the bitterness of their invectives. An enlightened zeal for the energy and efficiency of government, will be stigmatized as the offspring of a temper fond of power and hostile to the principles of liberty. An over scrupulous jealousy of danger to the rights of the people, which is more commonly the fault of the head than of the heart, will be represented as mere pretence and artifice . . . the stale bait for popularity at the expense of public good. It will be forgotten, on the one hand, that jealousy is the usual concomitant of violent love, and that the noble enthusiasm of liberty is too apt to be infected with a spirit of narrow and illiberal distrust. On the other hand, it will be equally forgotten, that the vigor of government is essential to the security of liberty; that, in the contemplation of a sound and well informed judgment, their interests can never be separated; and that a dangerous ambition more often lurks behind the specious mask of zeal for the rights of the people, than under the forbidding appearances of zeal for the firmness and efficiency of government. History will teach us, that the former has been found a much more certain road to the introduction of despotism, than the latter, and that of those men who have overturned the liberties of republics, the greatest number have begun their career, by paying an obsequious court to the people . . . commencing demagogues, and ending tyrants.

In the course of the preceding observations, it has been my aim, my fellow-citizens, to put you upon your guard against all attempts, from whatever quarter, to influence your decision in a matter of the utmost moment to your welfare, by any impressions, other than those which may result from the evidence of truth. You will, no doubt, at the same time, have collected from the general scope of them, that they proceed from a source not unfriendly to the new constitution. Yes, my countrymen, I own to

you, that, after having given it an attentive consideration, I am clearly of opinion it is your interest to adopt it. I am convinced, that this is the safest course for your liberty, your dignity, and your happiness. I affect not reserves, which I do not feel. I will not amuse you with an appearance of deliberation, when I have decided. I frankly acknowledge to you my convictions, and I will freely lay before you the reasons on which they are founded. The consciousness of good intentions disdains ambiguity. I shall not however multiply professions on this head. My motives must remain in the depository of my own breast: my arguments will be open to all and may be judged of by all. They shall at least be offered in a spirit, which will not disgrace the cause of truth.

I propose, in a series of papers, to discuss the following interesting particulars . . . The utility of the UNION to your political prosperity . . . The insufficiency of the present confederation to preserve that Union . . . The necessity of a government at least equally energetic with the one proposed, to the attainment of this object . . . The conformity of the proposed constitution to the true principles of republican government . . . Its analogy to your own state constitution . . . and lastly, The additional security, which its adoption will afford to the preservation of that species of government, to liberty and to property.

In the progress of this discussion, I shall endeavor to give a satisfactory answer to all the objections which shall have made their appearance, that may seem to have any claim to attention.

It may perhaps be thought superfluous to offer arguments to prove the utility of the UNION, a point, no doubt, deeply engraved on the hearts of the great body of the people in every state, and one which, it may be imagined, has no adversaries. But the fact, is that we already hear it whispered in the private circles of those who oppose the new constitution, that the Thirteen States are of too great extent for any general system, and that we must of necessity resort to separate confederacies of distinct portions of the whole. This doctrine will, in all probability, be gradually propagated, till it has votaries enough to countenance its open avowal. For nothing can be more evident, to those who are able to take an enlarged view of the subject, than the alternative of an adoption of the constitution, or a dismemberment of the Union. It may, therefore, be essential to examine particularly the advantages of that Union, the certain evils, and so the probable dangers, to which every state will be exposed from its dissolution. This shall accordingly be done.

PUBLIUS



**FEDERALIST
NO. 2
CONCERNING DANGERS
FROM FOREIGN FORCE**

**JOHN JAY
(UNDER PSEUDONYM PUBLIUS)**

OCTOBER 31, 1787

To the People of the State of New York:

WHEN the people of America reflect that they are now called upon to decide a question, which, in its consequences, must prove one of the most important that ever engaged their attention, the propriety of their taking a very comprehensive, as well as a very serious, view of it, will be evident.

Nothing is more certain than the indispensable necessity of government, and it is equally undeniable, that whenever and however it is instituted, the people must cede to it some of their natural rights in order to vest it with requisite powers. It is well worthy of consideration therefore, whether it would conduce more to the interest of the people of America that they should, to all general purposes, be one nation, under one federal government, or that they should divide themselves into separate confederacies, and give to the head of each the same kind of powers which they are advised to place in one national government.

It has until lately been a received and uncontradicted opinion that the prosperity of the people of America depended on their continuing firmly united, and the wishes, prayers, and efforts of our best and wisest citizens have been constantly directed to that object. But politicians now appear, who insist that this opinion is erroneous, and that instead of looking for safety and happiness in union, we ought to seek it in a division of the States into distinct confederacies or sovereignties. However extraordinary this new doctrine may appear, it nevertheless has its advocates; and certain characters who were much opposed to it formerly, are at present of the number. Whatever may be the arguments or inducements which

have wrought this change in the sentiments and declarations of these gentlemen, it certainly would not be wise in the people at large to adopt these new political tenets without being fully convinced that they are founded in truth and sound policy.

It has often given me pleasure to observe that independent America was not composed of detached and distant territories, but that one connected, fertile, wide-spreading country was the portion of our western sons of liberty. Providence has in a particular manner blessed it with a variety of soils and productions, and watered it with innumerable streams, for the delight and accommodation of its inhabitants. A succession of navigable waters forms a kind of chain round its borders, as if to bind it together; while the most noble rivers in the world, running at convenient distances, present them with highways for the easy communication of friendly aids, and the mutual transportation and exchange of their various commodities.

With equal pleasure I have as often taken notice that Providence has been pleased to give this one connected country to one united people -- a people descended from the same ancestors, speaking the same language, professing the same religion, attached to the same principles of government, very similar in their manners and customs, and who, by their joint counsels, arms, and efforts, fighting side by side throughout a long and bloody war, have nobly established general liberty and independence.

This country and this people seem to have been made for each other, and it appears as if it was the design of Providence, that an inheritance so proper and convenient for a band of brethren, united to each other by the strongest ties, should never be split into a number of unsocial, jealous, and alien sovereignties.

Similar sentiments have hitherto prevailed among all orders and denominations of men among us. To all general purposes we have uniformly been one people each individual citizen everywhere enjoying the same national rights, privileges, and protection. As a nation we have made peace and war; as a nation we have vanquished our common enemies; as a nation we have formed alliances, and made treaties, and entered into various compacts and conventions with foreign states.

A strong sense of the value and blessings of union induced the people, at a very early period, to institute a federal government to preserve and perpetuate it. They formed it almost as soon as they had a political existence; nay, at a time when their habitations were in flames, when many of their citizens were bleeding, and when the progress of hostility and desolation left little room for those calm and mature inquiries and reflections which must ever precede the formation of a wise and well-balanced government for a free people. It is not to be wondered at, that a government instituted in times so inauspicious, should on experiment be found greatly deficient and inadequate to the purpose it was intended to answer.

This intelligent people perceived and regretted these defects. Still continuing no less attached to union than enamored of liberty, they observed the danger which immediately threatened the former and more remotely the latter; and being persuaded that ample security for both could only be found in a national government more wisely framed, they as with one voice, convened the late convention at Philadelphia, to take that important subject under consideration.

This convention, composed of men who possessed the confidence of the people, and many of whom had become highly distinguished by their patriotism, virtue and wisdom, in times which tried the minds and hearts of men, undertook the arduous task. In the mild season of peace, with minds unoccupied by other subjects, they passed many months in cool, uninterrupted, and daily consultation; and finally, without having been awed by power, or influenced by any passions except love for their country, they presented and recommended to the people the plan produced by their joint and very unanimous councils.

Admit, for so is the fact, that this plan is only recommended, not imposed, yet let it be remembered that it is neither recommended to blind approbation, nor to blind reprobation; but to that sedate and candid consideration which the magnitude and importance of the subject demand, and which it certainly ought to receive. But this (as was remarked in the foregoing number of this paper) is more to be wished than expected, that it may be so considered and examined. Experience on a former occasion teaches us not to be too sanguine in such hopes. It is not yet forgotten that well-grounded apprehensions of imminent danger induced the people of America to form the memorable Congress of 1774. That body recommended certain measures to their con-

stituents, and the event proved their wisdom; yet it is fresh in our memories how soon the press began to teem with pamphlets and weekly papers against those very measures. Not only many of the officers of government, who obeyed the dictates of personal interest, but others, from a mistaken estimate of consequences, or the undue influence of former attachments, or whose ambition aimed at objects which did not correspond with the public good, were indefatigable in their efforts to persuade the people to reject the advice of that patriotic Congress. Many, indeed, were deceived and deluded, but the great majority of the people reasoned and decided judiciously; and happy they are in reflecting that they did so.

They considered that the Congress was composed of many wise and experienced men. That, being convened from different parts of the country, they brought with them and communicated to each other a variety of useful information. That, in the course of the time they passed together in inquiring into and discussing the true interests of their country, they must have acquired very accurate knowledge on that head. That they were individually interested in the public liberty and prosperity, and therefore that it was not less their inclination than their duty to recommend only such measures as, after the most mature deliberation, they really thought prudent and advisable.

These and similar considerations then induced the people to rely greatly on the judgment and integrity of the Congress; and they took their advice, notwithstanding the various arts and endeavors used to deter them from it. But if the people at large had reason to confide in the men of that Congress, few of whom had been fully tried or generally known, still greater reason have they now to respect the judgment and advice of the convention, for it is well known that some of the most distinguished members of that Congress, who have been since tried and justly approved for patriotism and abilities, and who have grown old in acquiring political information, were also members of this convention, and carried into it their accumulated knowledge and experience.

It is worthy of remark that not only the first, but every succeeding Congress, as well as the late convention, have invariably joined with the people in thinking that the prosperity of America depended on its Union. To preserve and perpetuate it was the great object of the people in forming that convention, and it is also the great object of the plan which the convention has advised them to adopt. With what propriety, therefore, or for what good purposes, are attempts at this particular period made by some men to depreciate the importance of the Union? Or why is it suggested that three or four confederacies would be better than one? I am persuaded in my own mind that the people have always thought right on this subject, and that their universal and uniform attachment to the cause of the Union rests on great and weighty reasons, which I shall endeavor to develop and explain in some ensuing papers. They who promote the idea of substituting a number of distinct confederacies in the room of the plan of the convention, seem clearly to foresee that the rejection of it would put the continuance of the Union in the utmost jeopardy. That certainly would be the case, and I sincerely wish that it may be as clearly foreseen by every good citizen, that whenever the dissolution of the Union arrives, America will have reason to exclaim, in the words of the poet:

"FAREWELL! A LONG FAREWELL TO ALL MY GREATNESS."

PUBLIUS



FEDERALIST NO. 10

**THE UTILITY OF THE UNION
AS A SAFEGUARD
AGAINST DOMESTIC FACTION
AND INSURRECTION**

**JAMES MADISON
(UNDER PSEUDONYM)**

**NOVEMBER 22, 1787
NEW YORK**

To the People of the State of New York:

AMONG the numerous advantages promised by a well constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail, therefore, to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice, and confusion introduced into the public councils, have, in truth, been the mortal diseases under which popular governments have everywhere perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitutions on the popular models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side, as was wished and expected. Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable, that the public good is disregarded in the conflicts of rival parties, and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority. However anxiously we may wish that these complaints had no foundation, the evidence, of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labor have been erroneously charged on the operation of our governments; but it will be found, at the same

time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements, and alarm for private rights, which are echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administrations.

By a faction, I understand a number of citizens, whether amounting to a majority or a minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.

No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time; yet what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? And what are the different classes of legislators but advocates and parties to the causes which they determine? Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side and the debtors on the other. Justice ought to hold the balance between them. Yet the parties are, and must be, themselves the judges; and the most numerous party, or, in other words, the most powerful faction must be expected to prevail. Shall domestic manufactures be encouraged, and in what degree, by restrictions on foreign manufactures? are questions which would be differently decided by the landed and the manufacturing classes, and probably by neither with a

sole regard to justice and the public good. The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number, is a shilling saved to their own pockets.

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests, and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.

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.

The effect of the first difference is, on the one hand, to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious

tempers, of local prejudices, or of sinister designs, may, by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests, of the people. The question resulting is, whether small or extensive republics are more favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations:

In the first place, it is to be remarked that, however small the republic may be, the representatives must be raised to a certain number, in order to guard against the cabals of a few; and that, however large it may be, they must be limited to a certain number, in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the two constituents, and being proportionally greater in the small republic, it follows that, if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practice with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre in men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representatives too little acquainted with all their local circumstances and lesser interests; as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will be the distinct parties and interests composing it; 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, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, 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; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other. Besides other impediments, it may be remarked that, where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary.

Hence, it clearly appears, that the same advantage which a republic has over a democracy, in controlling the effects of faction, is enjoyed by a large over a small republic, -- is enjoyed by the Union over the States composing it. Does the advantage consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties, against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States. A religious sect may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State.

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of Federalists.



FEDERALIST NO. 15

**THE INSUFFICIENCY OF THE
PRESENT CONFEDERATION
TO PRESERVE THE UNION**

**ALEXANDER HAMILTON
(UNDER PSEUDONYM PUBLIUS)**

**DECEMBER 1, 1787
NEW YORK**

In the course of the preceding papers I have endeavored, my fellow-citizens, to place before you in a clear and convincing light the importance of Union to your political safety and happiness. I have unfolded to you a complication of dangers to which you would be exposed, should you permit that sacred knot which binds the people of America together to be severed or dissolved by ambition or by avarice, by jealousy or by misrepresentation. In the sequel of the inquiry through which I propose to accompany you, the truths intended to be inculcated will receive further confirmation from facts and arguments hitherto unnoticed. If the road over which you will still have to pass should in some places appear to you tedious or irksome, you will recollect that you are in quest of information on a subject the most momentous which can engage the attention of a free people, that the field through which you have to travel is in itself spacious, and that the difficulties of the journey have been unnecessarily increased by the mazes with which sophistry has beset the way. It will be my aim to remove the obstacles from your progress in as compendious a manner as it can be done, without sacrificing utility to dispatch.

In pursuance of the plan which I have laid down for the discussion of the subject, the point next in order to be examined is the "insufficiency of the present Confederation to the preservation of the Union." It may perhaps be asked what need there is of reasoning or proof to illustrate a position which is not either controverted or doubted, to which the understandings and feelings of all classes of men assent, and which in substance is admitted by the opponents as well as by the friends of the new Constitution. It must in truth be acknowledged that, however these may differ in other respects, they in general appear to harmonize in this sentiment at least: that there are material imperfections in our national system and

that something is necessary to be done to rescue us from impending anarchy. The facts that support this opinion are no longer objects of speculation. They have forced themselves upon the sensibility of the people at large, and have at length extorted from those, whose mistaken policy has had the principal share in precipitating the extremity at which we are arrived, a reluctant confession of the reality of those defects in the scheme of our federal government which have been long pointed out and regretted by the intelligent friends of the Union.

We may indeed with propriety be said to have reached almost the last stage of national humiliation. There is scarcely anything that can wound the pride or degrade the character of an independent nation which we do not experience. Are there engagements to the performance of which we are held by every tie respectable among men? These are the subjects of constant and unblushing violation. Do we owe debts to foreigners and to our own citizens contracted in a time of imminent peril for the preservation of our political existence? These remain without any proper or satisfactory provision for their discharge. Have we valuable territories and important posts in the possession of a foreign power which, by express stipulations, ought long since to have been surrendered? These are still retained to the prejudice of our interests, not less than of our rights. Are we in a condition to resent or to repel the aggression? We have neither troops, nor treasury, nor government. Are we even in a condition to remonstrate with dignity? The just imputations on our own faith in respect to the same treaty ought first to be removed. Are we entitled by nature and compact to a free participation in the navigation of the Mississippi? Spain excludes us from it. Is public credit an indispensable resource in time of public danger? We seem to have abandoned its cause as desperate and irretrievable. Is commerce of importance to national wealth? Ours is at the lowest point of declension. Is respectability in the eyes of foreign powers a safeguard against foreign encroachments? The imbecility of our government even forbids them to treat with us. Our ambassadors abroad are the mere pageants of mimic sovereignty. Is a violent and unnatural decrease in the value of land a symptom of national distress? The price of improved land in most parts of the country is much lower than can be accounted for by the quantity of waste land at market, and can only be fully explained by that want of private and public confidence, which are so alarmingly prevalent among all ranks and which have a direct tendency to depreciate property of every kind. Is private credit the friend and patron of industry? That most useful kind which relates to borrowing and lending is reduced within the narrowest limits, and this still more from an opinion of insecurity than from the scarcity of money. To shorten an enumeration of particulars which can afford neither pleasure nor instruction, it may in general be demanded, what indication is there of national disorder, poverty, and insignificance that could befall a community so peculiarly blessed with natural advantages as we are, which does not form a part of the dark catalogue of our public misfortunes?

This is the melancholy situation to which we have been brought by those very maxims and counsels which would now deter us from adopting the proposed Constitution; and which, not content with having conducted us to the brink of a precipice, seem resolved to plunge us into the abyss that awaits us below. Here, my countrymen, impelled by every motive that ought to influence an enlightened people, let us make a firm stand for our safety, our tranquillity, our dignity, our reputation. Let us at last break the fatal charm which has too long seduced us from the paths of felicity and prosperity.

It is true, as has been before observed, that facts too stubborn to be resisted have produced a species of general assent to the abstract proposition that there exist material defects in our national system; but the usefulness of the concession on the part of the old adversaries of federal measures is destroyed by a strenuous opposition to a remedy upon the only principles that can give it a chance of success. While they admit that the government of the United States is destitute of energy, they contend against conferring upon it those powers which are requisite to supply that energy. They seem still to aim at things repugnant and irreconcilable; at an augmentation of federal authority without a diminution of State authority; at sovereignty in the Union and complete independence in the members. They still, in fine, seem to cherish with blind devotion the political monster of an imperium in imperio. This renders a full display of the principal defects of the Confederation necessary in order to show that the evils we experience do not proceed from minute or partial imperfections, but from fundamental errors in the structure of the building, which cannot be amended otherwise than by an alteration in the first principles and main pillars of the fabric.

The great and radical vice in the construction of the existing Confederation is in the principle of LEGISLATION for STATES or GOVERNMENTS, in their CORPORATE or COLLECTIVE CAPACITIES, and as contradistinguished from the INDIVIDUALS of which they consist. Though this principle does not run through all the powers delegated to the Union, yet it pervades and governs those on which the efficacy of the rest depends. Except as to the rule of appointment, the United States has an indefinite dis-

cretion to make requisitions for men and money; but they have no authority to raise either by regulations extending to the individual citizens of America. The consequence of this is that though in theory their resolutions concerning those objects are laws constitutionally binding on the members of the Union, yet in practice they are mere recommendations which the States observe or disregard at their option.

It is a singular instance of the capriciousness of the human mind that after all the admonitions we have had from experience on this head, there should still be found men who object to the new Constitution for deviating from a principle which has been found the bane of the old and which is in itself evidently incompatible with the idea of GOVERNMENT; a principle, in short, which, if it is to be executed at all, must substitute the violent and sanguinary agency of the sword to the mild influence of the magistracy.

There is nothing absurd or impracticable in the idea of a league or alliance between independent nations for certain defined purposes precisely stated in a treaty regulating all the details of time, place, circumstance, and quantity, leaving nothing to future discretion, and depending for its execution on the good faith of the parties. Compacts of this kind exist among all civilized nations, subject to the usual vicissitudes of peace and war, of observance and non-observance, as the interests or passions of the contracting powers dictate. In the early part of the present century there was an epidemical rage in Europe for this species of compacts, from which the politicians of the times fondly hoped for benefits which were never realized. With a view to establishing the equilibrium of power and the peace of that part of the world, all the resources of negotiation were exhausted, and triple and quadruple alliances were formed; but they were scarcely formed before they were broken, giving an instructive but afflicting lesson to mankind how little dependence is to be placed on treaties which have no other sanction than the obligations of good faith, and which oppose general considerations of peace and justice to the impulse of any immediate interest or passion.

If the particular States in this country are disposed to stand in a similar relation to each other, and to drop the project of a general DISCRETIONARY SUPERINTENDENCE, the scheme would indeed be pernicious and would entail upon us all the mischiefs which have been enumerated under the first head; but it would have the merit of being, at least, consistent and practicable. Abandoning all views towards a confederate government, this would bring us to a simple alliance offensive and defensive; and would place us in a situation to be alternate friends and enemies of each other, as our mutual jealousies and rivalships, nourished by the intrigues of foreign nations, should prescribe to us.

But if we are unwilling to be placed in this perilous situation; if we still will adhere to the design of a national government, or, which is the same thing, of a superintending power under the direction of a common council, we must resolve to incorporate into our plan those ingredients which may be considered as forming the characteristic difference between a league and a government; we must extend the authority of the Union to the persons of the citizens—the only proper objects of government.

Government implies the power of making laws. It is essential to the idea of a law that it be attended with a sanction; or, in other words, a penalty or punishment for disobedience. If there be no penalty annexed to disobedience, the resolutions or commands which pretend to be laws will, in fact, amount to nothing more than advice or recommendation. This penalty, whatever it may be, can only be inflicted in two ways: by the agency of the courts and ministers of justice, or by military force; by the COERCION of the magistracy, or by the COERCION of arms. The first kind can evidently apply only to men; the last kind must of necessity be employed against bodies politic, or communities, or States. It is evident that there is no process of a court by which the observance of the laws can in the last resort be enforced. Sentences may be denounced against them for violations of their duty; but these sentences can only be carried into execution by the sword. In an association where the general authority is confined to the collective bodies of the communities that compose it, every breach of the laws must involve a state of war; and military execution must become the only instrument of civil obedience. Such a state of things can certainly not deserve the name of government, nor would any prudent man choose to commit his happiness to it.

There was a time when we were told that breaches by the States of the regulations of the federal authority were not to be expected; that a sense of common interest would preside over the conduct of the respective members, and would beget a full compliance with all the constitutional requisitions of the Union. This language, at the present day, would appear as wild as a great part of what we now hear from the same quarter will be thought, when we shall have received further lessons from that best oracle of wisdom, experience. It at all times betrayed an ignorance of the true springs by which human conduct is actuated, and

belied the original inducements to the establishment of civil power. Why has government been instituted at all? Because the passions of men will not conform to the dictates of reason and justice without constraint. Has it been found that bodies of men act with more rectitude or greater disinterestedness than individuals? The contrary of this has been inferred by all accurate observers of the conduct of mankind; and the inference is founded upon obvious reasons. Regard to reputation has a less active influence when the infamy of a bad action is to be divided among a number than when it is to fall singly upon one. A spirit of faction, which is apt to mingle its poison in the deliberations of all bodies of men, will often hurry the persons of whom they are composed into improprieties and excesses for which they would blush in a private capacity.

In addition to all this, there is in the nature of sovereign power an impatience of control that disposes those who are invested with the exercise of it to look with an evil eye upon all external attempts to restrain or direct its operations. From this spirit it happens that in every political association which is formed upon the principle of uniting in a common interest a number of lesser sovereignties, there will be found a kind of eccentric tendency in the subordinate or inferior orbs by the operation of which there will be a perpetual effort in each to fly off from the common center. This tendency is not difficult to be accounted for. It has its origin in the love of power. Power controlled or abridged is almost always the rival and enemy of that power by which it is controlled or abridged. This simple proposition will teach us how little reason there is to expect that the persons intrusted with the administration of the affairs of the particular members of a confederacy will at all times be ready with perfect good humor and an unbiased regard to the public weal to execute the resolutions or decrees of the general authority. The reverse of this results from the constitution of man.

If, therefore, the measures of the Confederacy cannot be executed without the intervention of the particular administrations, there will be little prospect of their being executed at all. The rulers of the respective members, whether they have a constitutional right to do it or not, will undertake to judge of the propriety of the measures themselves. They will consider the conformity of the thing proposed or required to their immediate interests or aims; the momentary conveniences or inconveniences that would attend its adoption. All this will be done; and in a spirit of interested and suspicious scrutiny, without that knowledge of national circumstances and reasons of state, which is essential to a right judgment, and with that strong predilection in favor of local objects, which can hardly fail to mislead the decision. The same process must be repeated in every member of which the body is constituted; and the execution of the plans, framed by the councils of the whole, will always fluctuate on the discretion of the ill-informed and prejudiced opinion of every part. Those who have been conversant in the proceedings of popular assemblies; who have seen how difficult it often is, when there is no exterior pressure of circumstances, to bring them to harmonious resolutions on important points, will readily conceive how impossible it must be to induce a number of such assemblies, deliberating at a distance from each other, at different times and under different impressions, long to co-operate in the same views and pursuits.

In our case the concurrence of thirteen distinct sovereign wills is requisite under the Confederation to the complete execution of every important measure that proceeds from the Union. It has happened as was to have been foreseen. The measures of the Union have not been executed; and the delinquencies of the States have step by step matured themselves to an extreme, which has, at length, arrested all the wheels of the national government and brought them to an awful stand. Congress at this time scarcely possess the means of keeping up the forms of administration, till the States can have time to agree upon a more substantial substitute for the present shadow of a federal government. Things did not come to this desperate extremity at once. The causes which have been specified produced at first only unequal and disproportionate degrees of compliance with the requisitions of the Union. The greater deficiencies of some States furnished the pretext of example and the temptation of interest to the complying, or to the least delinquent States. Why should we do more in proportion than those who are embarked with us in the same political voyage? Why should we consent to bear more than our proper share of the common burden? There were suggestions which human selfishness could not withstand, and which even speculative men, who looked forward to remote consequences, could not without hesitation combat. Each State yielding to the persuasive voice of immediate interest or convenience has successively withdrawn its support, till the frail and tottering edifice seems ready to fall upon our heads and to crush us beneath its ruins.



FEDERALIST NO. 51

**THE STRUCTURE OF THE
GOVERNMENT MUST
FURNISH THE PROPER
CHECKS AND BALANCES
BETWEEN THE DIFFERENT
DEPARTMENTS**

**JAMES MADISON
(UNDER PSEUDONYM PUBLIUS)**

**FEBRUARY 6, 1788
NEW YORK**

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 depart-

ment 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 defence 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 centinel 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-defence. 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 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 defence 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 connexion 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.

There are moreover two considerations particularly applicable to the federal system of America, which place that system in a very interesting point of view.

First. In a single republic, all the power surrendered by the people, is submitted to the administration of a single government; and the usurpations are guarded against, by a division of the government into distinct and separate departments. In the com-

pound republic of America, the power surrendered by the people, is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other; at the same time that each will be controlled by itself.

Second. It is of great importance in a republic, not only to guard the society against the oppression of its rulers; but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure. There are but two methods of providing against this evil: the one, by creating a will in the community independent of the majority, that is, of the society itself; the other, by comprehending in the society so many separate descriptions of citizens, as will render an unjust combination of a majority of the whole very improbable, if not impracticable. The first method prevails in all governments possessing an hereditary or self-appointed authority. This, at best, is but a precarious security; because a power independent of the society may as well espouse the unjust views of the major, as the rightful interests of the minor party, and may possibly be turned against both parties. The second method will be exemplified in the federal republic of the United States. Whilst all authority in it will be derived from, and dependent on the society, the society itself will be broken into so many parts, interests, and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority. In a free government, the security for civil rights must be the same as that for religious rights. It consists in the one case in the multiplicity of interests, and in the other, in the multiplicity of sects. The degree of security in both cases will depend on the number of interests and sects; and this may be presumed to depend on the extent of country and number of people comprehended under the same government. This view of the subject must particularly recommend a proper federal system to all the sincere and considerate friends of republican government: since it shows, that in exact proportion as the territory of the union may be formed into more circumscribed confederacies, or states, oppressive combinations of a majority will be facilitated; the best security under the republican form, for the rights of every class of citizens, will be diminished; and consequently, the stability and independence of some member of the government, the only other security, must be proportionally increased. Justice is the end of government. It is the end of civil society. It ever has been, and ever will be, pursued, until it be obtained, or until liberty be lost in the pursuit. In a society, under the forms of which the stronger faction can readily unite and oppress the weaker, anarchy may as truly be said to reign, as in a state of nature, where the weaker individual is not secured against the violence of the stronger: and as, in the latter state, even the stronger individuals are prompted, by the uncertainty of their condition, to submit to a government which may protect the weak, as well as themselves: so, in the former state, will the more powerful factions or parties be gradually induced, by a like motive, to wish for a government which will protect all parties, the weaker as well as the more powerful. It can be little doubted, that if the state of Rhode Island was separated from the confederacy, and left to itself, the insecurity of rights under the popular form of government within such narrow limits, would be displayed by such reiterated oppressions of factious majorities, that some power altogether independent of the people, would soon be called for by the voice of the very factions whose misrule had proved the necessity of it. In the extended republic of the United States, and among the great variety of interests, parties, and sects, which it embraces, a coalition of a majority of the whole society could seldom take place upon any other principles, than those of justice and the general good: whilst there being thus less danger to a minor from the will of the major party, there must be less pretext also, to provide for the security of the former, by introducing into the government a will not dependent on the latter: or, in other words, a will independent of the society itself. It is no less certain than it is important, notwithstanding the contrary opinions which have been entertained, that the larger the society, provided it lie within a practicable sphere, the more duly capable it will be of self-government. And happily for the republican cause, the practicable sphere may be carried to a very great extent, by a judicious modification and mixture of the federal principle.

PUBLIUS



ANTIFEDERALIST NO. 10

ON THE PRESERVATION OF
PARTIES, PUBLIC LIBERTY
DEPENDS

"A FARMER"
(PSEUDONYM)

MARCH 18, 1788
BALTIMORE, MD

The opposite qualities of the first confederation were rather caused by than the cause of two parties, which from its first existence began and have continued their operations, I believe, unknown to their country and almost unknown to themselves-as really but few men have the capacity or resolution to develop the secret causes which influence their daily conduct. The old Congress was a national government and an union of States, both brought into one political body, as these opposite powers-I do not mean parties were so exactly blended and very nearly balanced, like every artificial, operative machine where action is equal to reaction. It stood perfectly still. It would not move at all. Those who were merely confederal in their views, were for dividing the public debt. Those who were for national government, were for increasing of it. Those who thought any national government would be destructive to the liberties of America . . . assisted those who thought it our only safety-to put everything as wrong as possible. Requisitions were made, which every body knew it was impossible to comply with. Either in '82 or '83, ten millions of hard dollars, if not thirteen, were called into the continental treasury, when there could not be half that sum in the whole tract of territory between Nova-Scotia and Florida. The States neglected them in despair. The public honor was tarnished, and our governments abused by their servants and best friends. In fine, it became a cant word things are not yet bad enough to mend. However, as [a] great part of the important objects of society were entrusted to this mongrel species of general government, the sentiment of pushing it forward became general throughout America, and the late Convention met at Philadelphia under the uniform impression, that such was the desire of their constituents. But even then the advantages and disadvantages of national government operated so strongly, although silently, on each individual, that the conflict was nearly equal. A

third or middle opinion, which always arises in such cases, broke off and took the lead-the national party [thus] assisted, pursued steadily their object- the federal party dropped off, one by one, and finally, when the middle party came to view the offspring which they had given birth to, and in a great measure reared, several of them immediately disowned the child. Such has been hitherto the progress of party; or rather of the human mind dispassionately contemplating our separate and relative situation, and aiming at that perfect completion of social happiness and grandeur, which perhaps can be combined only in ideas. Every description of men entertain the same wishes (excepting perhaps a few very bad men of each)-they forever will differ about the mode of accomplishment-and some must be permitted to doubt the practicability.

As our citizens are now apprized of the progress of parties or political opinions on the continent, it is fit they should also be informed of the present state, force and designs of each, in order that they may form their decisions with safety to the public and themselves-this shall be given with all the precision and impartiality the author is capable of.

America is at present divided into three classes or descriptions of men, and in a few years there will be but two.

[First]. The first class comprehends all those men of fortune and reputation who stepped forward in the late revolution, from opposition to the administration, rather than the government of Great Britain. All those aristocrats whose pride disdains equal law. Many men of very large fortune, who entertain real or imaginary fears for the security of property. Those young men, who have sacrificed their time and their talents to public service, without any prospect of an adequate pecuniary or honorary reward. All your people of fashion and pleasure who are corrupted by the dissipation of the French, English and American armies; and a love of European manners and luxury. The public creditors of the continent, whose interest has been heretofore sacrificed by their friends, in order to retain their services on this occasion. A large majority of the mercantile people, which is at present a very unformed and consequently dangerous interest. Our old native merchants have been almost universally ruined by the receipt of their debts in paper during the war, and the payment in hard money of what they owed their British correspondents since peace. Those who are not bankrupts, have generally retired and given place to a set of young men, who conducting themselves as rashly as ignorantly, have embarrassed their affairs and lay the blame on the government, and who are really unacquainted with the true mercantile interest of the country-which is perplexed from circumstances rather temporary than permanent. The foreign merchants are generally not to be trusted with influence in our government-- they are most of them birds of passage. Some, perhaps British emissaries increasing and rejoicing in our political mistakes, and even those who have settled among us with an intention to fix themselves and their posterity in our soil, have brought with them more foreign prejudices than wealth. Time must elapse before the mercantile interest will be so organized as to govern themselves, much less others, with propriety. And lastly, to this class I suppose we may ultimately add the tory interest, with the exception of very many respectable characters, who reflect with a gratification mixed with disdain, that those principles are now become fashionable for which they have been persecuted and hunted down-which, although by no means so formidable as is generally imagined, is still considerable. They are at present wavering. They are generally, though with very many exceptions, openly for the proposed, but secretly against any American government. A burnt child dreads the fire. But should they see any fair prospect of confusion arise, these gentry will be off at any moment for these five and twenty years to come. Ultimately, should the administration promise stability to the new government, they may be counted on as the Janizaries of power, ready to efface all suspicion by the violence of their zeal.

In general, all these various people would prefer a government, as nearly copied after that of Great Britain, as our circumstances will permit. Some would strain these circumstances. Others still retain a deep rooted jealousy of the executive branch and strong republican prejudices as they are called. Finally, this class contains more aggregate wisdom and moral virtue than both the other two together. It commands nearly two thirds of the property and almost one half the numbers of America, and has at present, become almost irresistible from the name of the truly great and amiable man who it has been said, is disposed to patronize it, and from the influence which it has over the second class. This [first] class is nearly at the height of their power; they must decline or moderate, or another revolution will ensue, for the opinion of America is becoming daily more unfavorable to those radical changes which high-toned government requires. A conflict would terminate in the destruction of this class, or the liberties of their country. May the Guardian Angel of America prevent both!

[Second]. The second class is composed of those descriptions of men who are certainly more numerous with us than in any other part of the globe. First, those men who are so wise as to discover that their ancestors and indeed all the rest of mankind

were and are fools. We have a vast over-proportion of these great men, who, when you tell them that from the earliest period at which mankind devoted their attention to social happiness, it has been their uniform judgment, that a government over governments cannot exist- -that is two governments operating on the same individual-assume the smile of confidence, and tell you of two people traveling the same road-of a perfect and precise division of the duties of the individual. Still, however, the political apothegm is as old as the proverb-That no man can serve two masters-and whoever will run their noddles against old proverbs will be sure to break them, however hard they may be. And if they broke only their own, all would be right; but it is very horrible to reflect that all our numskulls must be cracked in concert. Second. The trimmers, who from sympathetic indecision are always united with, and when not regularly employed, always fight under the banners of these great men, These people are forever at market, and when parties are nearly equally divided, they get very well paid for their services. Thirdly. The indolent, that is almost every second man of independent fortune you meet with in America-these are quite easy, and can live under any government. If men can be said to live, who scarcely breathe; and if breathing was attended with any bodily exertion, would give up their small portion of life in despair. These men do not swim with the stream as the trimmers do, but are dragged like mud at the bottom. As they have no other weight than their fat flesh, they are hardly worth mentioning when we speak of the sentiments and opinions of America. As this second class never can include any of the yeomanry of the union, who never affect superior wisdom, and can have no interests but the public good, it can be only said to exist at the birth of government, and as soon as the first and third classes become more decided in their views, this will divide with each and dissipate like a mist, or sink down into what are called moderate men, and become the tools and instruments of others. These people are prevented by a cloud from having any view; and if they are not virtuous, they at least preserve the appearance, which in this world amounts to the same thing.

[Third]. At the head of the third class appear the old rigid republicans, who although few in number, are still formidable. Reverence will follow these men in spite of detraction, as long as wisdom and virtue are esteemed among mankind. They are joined by the true democrats, who are in general fanatics and enthusiasts, and some few sensible, charming madmen. A decided majority of the yeomanry of America will, for a length of years, be ready to support these two descriptions of men. But as this last class is forced to act as a residuary legate, and receive all the trash and filth, it is in some measure disgraced and its influence weakened. 3dly. The freebooters and plunderers, who infest all countries and ours perhaps as little as any other whatever. These men have that natural antipathy to any kind or sort of government, that a rogue has to a halter. In number they are few indeed such characters are the offspring of dissipation and want, and there is not that country in the world where so much real property is shared so equally among so few citizens, for where property is as easily acquired by fair means, very few indeed will resort to foul. Lastly, by the poor mob, infoelix pecus!! The property of whoever will feed them and take care of them-let them be spared. Let the burden of taxation sit lightly on their shoulders. But alas! This is not their fate. It is here that government forever falls with all its weight. It is here that the proposed government will press where it should scarcely be felt. . . .

In this [third] class may be counted men of the greatest mental powers and of as sublime virtue as any in America. They at present command nearly one-third of the property and above half the numbers of the United States, and in either event they must continue to increase in influence by great desertions from both the other classes . . . If the [proposed] government is not adopted, theirs will be the prevalent opinion. The object of this class either is or will be purely federal-an union of independent States, not a government of individuals. And should the proposed federal plan fail, from the obstinacy of those who will listen to no conditional amendments, although such as they cannot disapprove; or should it ultimately in its execution upon a fair trial, disappoint the wishes and expectations of our country-[then] an union purely federal is what the reasonable and dispassionate patriots of America must bend their views to. My countrymen, preserve your jealousy-reject suspicion, it is the fiend that destroys public and private happiness. I know some weak, but very few if any wicked men in public confidence. And learn this most difficult and necessary lesson: That on the preservation of parties, public liberty depends. Whenever men are unanimous on great public questions, whenever there is but one party, freedom ceases and despotism commences. The object of a free and wise people should be so to balance parties, that from the weakness of all you may be governed by the moderation of the combined judgments of the whole, not tyrannized over by the blind passions of a few individuals.



AGRIPPA IX

**JAMES WINTHROP
(UNDER PSEUDONYM AGRIPPA)**

**DECEMBER 27, 1788
MIDDLESEX, MA**

To the People.

We come now to the second and last article of complaint against the present confederation, which is, that Congress has not the sole power to regulate the intercourse between us and foreigners. Such a power extends not only to war and peace, but to trade and naturalization. This last article ought never to be given them; for though most of the states may be willing for certain reasons to receive foreigners as citizens, yet reasons of equal weight may induce other states, differently circumstanced, to keep their blood pure. Pennsylvania has chosen to receive all that would come there. Let any indifferent person judge whether that state in point of morals, education, energy is equal to any of the eastern states; the small state of Rhode-Island only excepted. Pennsylvania in the course of a century has acquired her present extent and population at the expense of religion and good morals. The eastern states have, by keeping separate from the foreign mixtures, acquired, their present greatness in the course of a century and an half, and have preserved their religion and morals. They have also preserved that manly virtue which is equally fitted for rendering them respectable in war, and industrious in peace.

The remaining power for peace and trade might perhaps be safely enough lodged with Congress under some limitations. Three restrictions appear to me to be essentially necessary to preserve the equality of rights to the states, which it is the object of the state governments to secure to each citizen, ist. It ought not to be in the power of Congress either by treaty or otherwise to alienate part of any state with-

out the consent of the legislature. 2d. They ought not to be able by treaty or other law to give any legal preference to one part above another. 3d. They ought to be restrained from creating any monopolies. Perhaps others may propose different regulations and restrictions. One of these is to be found in the old confederation, and another in the newly proposed plan. The third seems to be equally necessary.

After all that has been said and written on this subject, and on the difficulty of amending our old constitution so as to render it adequate to national purposes, it does not appear that any thing more was necessary to be done, than framing two new articles. By one a limited revenue would be given to Congress with a right to collect it, and by the other a limited right to regulate our intercourse with foreign nations. By such an addition we should have preserved to each state its power to defend the rights of the citizens, and the whole empire would be capable of expanding, and receiving additions without altering its former constitution. Congress, at the same time, by the extent of their jurisdiction, and the number of their officers, would have acquired more respectability at home, and a sufficient influence abroad. If any state was in such a case to invade the rights of the Union, the other states would join in defence of those rights, and it would be in the power of Congress to direct the national force to that object. But it is certain that the powers of Congress over the citizens should be small in proportion as the empire is extended; that, in order to preserve the balance, each state may supply by energy what is wanting in numbers. Congress would be able by such a system as we have proposed to regulate trade with foreigners by such duties as should effectually give the preference to the produce and manufactures of our own country. We should then have a friendly intercourse established between the states, upon the principles of mutual interest. A moderate duty upon foreign vessels would give an advantage to our own people, while it would avoid all the [dis]advantages arising from a prohibition, and the consequent deficiency of vessels to transport the produce of the southern states.

Our country is at present upon an average a thousand miles long from north to south, and eight hundred broad from the Mississippi to the Ocean. We have at least six millions of white inhabitants, and the annual increase is about two hundred and fifty thousand souls, exclusive of emigrants from Europe. The greater part of our increase is employed in settling the new lands, while the older settlements are entering largely into manufactures of various kinds. It is probable, that the extraordinary exertions of this state in the way of industry for the present year only, exceed in value five hundred thousand pounds. The new settlements, if all made in the same tract of country, would form a large state annually; and the time seems to be literally accomplished when a nation shall be born in a day. Such an immense country is not only capable of yielding all the produce of Europe, but actually does produce by far the greater part of the raw materials. The restrictions on our trade in Europe, necessarily oblige us to make use of those materials, and the high price of labour operates as an encouragement to mechanical improvements. In this way we daily make rapid advancements towards independence in resources as well as in empire. If we adopt the new system of government we shall by one rash vote lose the fruit of the toil and expense of thirteen years, at the time when the benefits of that toil and expense are rapidly increasing. Though the imposts of Congress on foreign trade may tend to encourage manufactures, the excise and dry tax will destroy all the beneficial effects of the impost, at the same time that they diminish our capital. Be careful then to give only a limited revenue, and the limited power of managing foreign concerns. Once surrender the rights of internal legislation and taxation, and instead of being respected abroad, foreigners will laugh at us, and posterity will lament our folly.

Agrippa



CENTINEL I
BILL OF RIGHTS NEEDED

SAMUEL BRYAN (?)
(UNDER PSEUDONYM CENTINEL)

OCTOBER 5, 1787
PHILADELPHIA

To the Freemen of Pennsylvania.

Friends, Countrymen and Fellow Citizens,

Permit one of yourselves to put you in mind of certain liberties and privileges secured to you by the constitution of this commonwealth, and to beg your serious attention to his uninterested opinion upon the plan of federal government submitted to your consideration, before you surrender these great and valuable privileges up forever. Your present frame of government, secures to you a right to hold yourselves, houses, papers and possessions free from search and seizure, and therefore warrants granted without oaths or affirmations first made, affording sufficient foundation for them, whereby any officer or messenger may be commanded or required to search your houses or seize your persons or property, not particularly described in such warrant, shall not be granted. Your constitution further provides "that in controversies respecting property, and in suits between man and man, the parties have a right to trial by jury, which ought to be held sacred." It also provides and declares. "that the people have a right of FREEDOM OF SPEECH, and of WRITING and PUBLISHING their sentiments, therefore THE FREEDOM OF THE PRESS OUGHT NOT TO BE RESTRAINED. " The constitution of Pennsylvania is yet in existence, as yet you have the right to freedom of speech, and of publishing your sentiments. How long those rights will appertain to you, you yourselves are called upon to say, whether your houses shall continue to be your castles; whether your papers, your persons and your property, are to be held sacred and free from general warrants, you are now to determine. Whether

the trial by jury is to continue as your birth-right, the freemen of Pennsylvania, nay, of all America, are now called upon to declare.

Without presuming upon my own judgement, I cannot think it an unwarrantable presumption to offer my private opinion, and call upon others for their's, and if I use my pen with the boldness of a freeman, it is because I know that the liberty of the press yet remains unviolated, and juries yet are judges.

The late convention have submitted to your consideration a plan of a new federal government -- The subject is highly interesting to your future welfare Whether it be calculated to promote the great ends of civil society, viz. the happiness and prosperity of the community; it behoves you well to consider, uninfluenced by the authority of names. Instead of that frenzy of enthusiasm, that has actuated the citizens of Philadelphia, in their approbation of the proposed plan, before it was possible that it could be the result of a rational investigation into its principles; it ought to be dispassionately and deliberately examined, and its own intrinsic merit the only criterion of your patronage. If ever free and unbiased discussion was proper or necessary, it is on such an occasion. All the blessings of liberty and the dearest privileges of freemen, are now at stake and dependent on your present conduct. Those who are competent to the task of developing the principles of government, ought to be encouraged to come forward, and thereby the better enable the people to make a proper judgment; for the science of government is so abstruse, that few are able to judge for themselves: without such assistance the people are too apt to yield an implicit assent to the opinions of those characters, whose abilities are held in the highest esteem, and to those in whose integrity and patriotism they can confide: not considering that the love of domination is generally in proportion to talents, abilities, and superior acquirements; and that the men of the greatest purity of intention may be made instruments of despotism in the hands of the artful and designing. If it were not for the stability and attachment which time and habit gives to forms of government it would be in the power of the enlightened and aspiring few, if they should combine, at any time to destroy the best establishments, and even make the people the instruments of their own subjugation.

The late revolution having effaced in a great measure all former habits, and the present institutions are so recent, that there exists not that great reluctance to innovation, so remarkable in old communities, and which accords with reason, for the most comprehensive mind cannot foresee the full operation of material changes on civil polity; it is the genius of the common law to resist innovation.

The wealthy and ambitious, who in every community think they have a right to lord it over their fellow creatures, have availed themselves, very successfully, of this favorable disposition; for the people thus unsettled in their sentiments, have been prepared to accede to any extreme of government; all the distresses and difficulties they experience, proceeding from various causes, have been ascribed to the impotency of the present confederation, and thence they have been led to expect full relief from the adoption of the proposed system of government, and in the other event, immediately ruin and annihilation as a nation. These characters flatter themselves that they have lulled all distrust and jealousy of their new plan, by gaining the concurrence of the two men in whom America has the highest confidence, and now triumphantly exult in the completion of their long meditated schemes of power and aggrandisement. I would be very far from insinuating that the two illustrious personages alluded to, have not the welfare of their country at heart, but that the unsuspecting goodness and zeal of the one, has been imposed on, in a subject of which he must be necessarily inexperienced, from his other arduous engagements; and that the weakness and indecision attendant on old age, has been practiced on in the other.

I am fearful that the principles of government inculcated in Mr. Adams's treatise, and enforced in the numerous essays and paragraphs in the newspapers, have misled some well designing members of the late Convention. But it will appear in the sequel, that the construction of the proposed plan of government is infinitely more extravagant.

I have been anxiously expecting that some enlightened patriot would, ere this, have taken up the pen to expose the futility, and counteract the baneful tendency of such principles. Mr. Adams's sine qua non of a good government is three balancing powers,

whose repelling qualities are to produce an equilibrium of interests, and thereby promote the happiness of the whole community. He asserts that the

administrators of every government, will ever be actuated by views of private interest and ambition, to the prejudice of the public good; that therefore the only effectual method to secure the rights of the people and promote their welfare, is to create an opposition of interests between the members of two distinct bodies, in the exercise of the powers of government, and balanced by those of a third. This hypothesis supposes human wisdom competent to the task of instituting three co-equal orders in government, and a corresponding weight in the community to enable them respectively to exercise their several parts, and whose views and interests should be so distinct as to prevent a coalition of any two of them for the destruction of the third. Mr. Adams, although he has traced the constitution of every form of government that ever existed, as far as history affords materials, has not been able to adduce a single instance of such a government; he indeed says that the British constitution is such in theory, but this is rather a confirmation that his principles are chimerical and not to be reduced to practice. If such an organization of power were practicable, how long would it continue? not a day for there is so great a disparity in the talents, wisdom and industry of mankind, that the scale would presently preponderate to one or the other body, and with every accession of power the means of further increase would be greatly extended. The state of society in England is much more favorable to such a scheme of government than that of America. There they have a powerful hereditary nobility, and real distinctions of rank and interests; but even there, for want of that perfect equality of power and distinction of interests, in the three orders of government, they exist but in name; the only operative and efficient check, upon the conduct of administration, is the sense of the people at large.

Suppose a government could be formed and supported on such principles, would it answer the great purposes of civil society; if the administrators of every government are actuated by views of private interest and ambition, how is the welfare and happiness of the community to be the result of such jarring adverse interests?

Therefore, as different orders in government will not produce the good of the whole, we must recur to other principles. I believe it will be found that the form of government, which holds those entrusted with power, in the greatest responsibility to their constituents, the best calculated for freemen. A republican, or free government, can only exist where the body of the people are virtuous, and where property is pretty equally divided; in such a government the people are the sovereign and their sense or opinion is the criterion of every public measure; for when this ceases to be the case, the nature of the government is changed, and an aristocracy, monarchy or despotism will rise on its ruin. The highest responsibility is to be attained, in a simple structure of government, for the great body of the people never steadily attend to the operations of government, and for want of due information are liable to be imposed on. If you complicate the plan by various orders, the people will be perplexed and divided in their sentiments about the source of abuses or misconduct, some will impute it to the senate, others to the house of representatives, and so on, that the interposition of the people may be rendered imperfect or perhaps wholly abortive. But if, imitating the constitution of Pennsylvania, you vest all the legislative power in one body of men (separating the executive and judicial) elected for a short period, and necessarily excluded by rotation from permanency, and guarded from precipitancy and surprise by delays imposed on its proceedings, you will create the most perfect responsibility for them, whenever the people feel a grievance they cannot mistake the authors, and will apply the remedy with certainty and effect, discarding them at the next election. This tie of responsibility will obviate all the dangers apprehended from a single legislature, and will the best secure the rights of the people.

Having premised this much, I shall now proceed to the examination of the proposed plan of government, and I trust, shall make it appear to the meanest capacity, that it has none of the essential requisites of a free government; that it is neither founded on those balancing restraining powers, recommended by Mr. Adams and attempted in the British constitution, or possessed of that responsibility to its constituents, which, in my opinion, is the only effectual security for the liberties and happiness of the people; but on the contrary, that it is a most daring attempt to establish a despotic aristocracy among freemen, that the world has ever witnessed.

I shall previously consider the extent of the powers intended to be vested in Congress, before I examine the construction of the general government.

It will not be controverted that the legislative is the highest delegated power in government, and that all others are subordinate to it. The celebrated Montesquieu establishes it as a maxim, that legislation necessarily follows the power of taxation. By sect. 8, of the first article of the proposed plan of government, "the Congress are to have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States, but all duties, imposts and excises, shall be uniform throughout the United States." Now what can be more comprehensive than these words; not content by other sections of this plan, to grant all the great executive powers of a confederation, and a STANDING ARMY IN TIME OF PEACE, that grand engine of oppression, and moreover the absolute control over the commerce of the United States and all external objects of revenue, such as unlimited imposts upon imports, etc. they are to be vested with every species of internal taxation; whatever taxes, duties and excises that they may deem requisite for the general welfare, may be imposed on the citizens of these states, levied by the officers of Congress, distributed through every district in America; and the collection would be enforced by the standing army, however grievous or improper they may be. The Congress may construe every purpose for which the state legislatures now lay taxes, to be for the general welfare, and thereby seize upon every object of revenue.

The judicial power by 1st sect. of article 3 "shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made or which shall be made under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction, to controversies to which the United States shall be a party, to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects."

The judicial power to be vested in one Supreme Court, and in such Inferior Courts as the Congress may from time to time ordain and establish.

The objects of jurisdiction recited above, are so numerous, and the shades of distinction between civil causes are oftentimes so slight, that it is more than probable that the state judicatories would be wholly superseded; for in contests about jurisdiction, the federal court, as the most powerful, would ever prevail. Every person acquainted with The history of the courts in England, knows by what ingenious sophisms they have, at different periods, extended the sphere of Their jurisdiction over objects out of the line of their institution, and contrary to their very nature; courts of a criminal jurisdiction obtaining cognizance in civil causes.

To put the omnipotency of Congress over the state government and judicatories out of all doubt, the 6th article ordains that "this constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding."

By these sections the all-prevailing power of taxation, and such extensive legislative and judicial powers are vested in the general government, as must in their operation, necessarily absorb the state legislatures and judicatories; and that such was in the contemplation of the framers of it, will appear from the provision made for such event, in another part of it; (but that, fearful of alarming the people by so great an innovation, they have suffered the forms of the separate governments to remain, as a blind.) By sect. 4th of the 1st article, "the times, places and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing senators." The plain construction of which is, that when the state legislatures drop out of sight, from the necessary operation this government, then Congress are to provide for the election and appointment of representatives and senators.

If the foregoing be a just comment if the United States are to be melted down into one empire, it becomes you to consider, whether such a government, however constructed, would be eligible in so extended a territory; and whether it would be practicable, consistent with freedom? It is the opinion of the greatest writers, that a very extensive country cannot be governed on democratical principles, on any other plan, than a confederation of a number of small republics, possessing all the powers of internal government, but united in the management of their foreign and general concerns.

It would not be difficult to prove, that any thing short of despotism, could not bind so great a country under one government; and that whatever plan you might, at the first setting out, establish, it would issue in a despotism.

If one general government could be instituted and maintained on principles of freedom, it would not be so competent to attend to the various local concerns and

wants, of every particular district, as well as the peculiar governments, who are nearer the scene, and possessed of superior means of information, besides, if the business of the whole union is to be managed by one government, there would not be time. Do we not already see, that the inhabitants in a number of larger states, who are remote from the seat of government, are loudly complaining of the inconveniencies and disadvantages they are subjected to on this account, and that, to enjoy the comforts of local government, they are separating into smaller divisions.

Having taken a review of the powers, I shall now examine the construction of the proposed general government.

Art. 1. Sect. 1. "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a senate and house of representatives." By another section? the president (the principal executive officer) has a conditional control over their proceedings.

Sect. 2. "The house of representatives shall be composed of members chosen every second year, by the people of the several states. The number of representatives shall not exceed one for every 30,000 inhabitants."

The senate, the other constituent branch of the legislature, is formed by the legislature of each state appointing two senators, for the term of six years.

The executive power by Art. 2, Sect. 1. is to be vested in a president of the United States of America, elected for four years: Sect. 2. gives him "power, by and with the consent of the senate to make treaties, provided two thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law," etc. And by another section he has the absolute power of granting reprieves and pardons for treason and all other high crimes and misdemeanors, except in case of impeachment.

The foregoing are the outlines of the plan.

Thus we see, the house of representatives, are on the part of the people to balance the senate, who I suppose will be composed of the better sort, the well born, etc. The number of the representatives (being only one for every 30,000 inhabitants) appears to be too few, either to communicate the requisite information, of the wants, local circumstances and sentiments of so extensive an empire, or to prevent corruption and undue influence, in the exercise of such great powers; the term for which they are to be chosen, too long to preserve a due dependence and accountability to their constituents; and the mode and places of their election not sufficiently ascertained, for as Congress have the control over both, they may govern the choice, by ordering the representatives of a whole state, to be elected in one place, and that too may be the most inconvenient.

The senate, the great efficient body in this plan of government, is constituted on the most unequal principles. The smallest state in the union has equal weight with the great states of Virginia Massachusetts, or Pennsylvania_The Senate, besides its legislative functions, has a very considerable share in the Executive; none of the principal appointments to office can be made without its

advice and consent. The term and mode of its appointment, will lead to permanency; the members are chosen for six years, the mode is under the control of Congress, and as there is no exclusion by rotation, they may be continued for life, which, from their extensive means of influence, would follow of course. The President, who would be a mere pageant of state, unless he coincides with the views of the Senate, would either become the head of the aristocratic junto in that body, or its minion, besides, their influence being the most predominant, could the best secure his re-election to office. And from his power of granting pardons, he might screen from punishment the most treasonable attempts on liberties of the people, when instigated by the Senate.

From this investigation into the organization of this government, it appears that it is devoid of all responsibility or accountability to the great body of the people, and that so far from being a regular balanced government, it would be in practice a permanent ARISTOCRACY .

The framers of it, actuated by the true spirit of such a government, which ever abominates and suppresses all free enquiry and discussion, have made no provision for the liberty of the press that grand palladium of freedom, and scourge of tyrants, but observed a total silence on that head. It is the opinion of some great writers, that if the liberty of the press, by an institution of religion, or otherwise, could be rendered sacred, even in Turkey, that despotism would fly before it. And it is worthy of remark, that there is no declaration of personal rights, premised in most free constitutions; and that trial by jury in civil cases is taken away; for what other construction can be put on the following, viz. Article m. Sect. 2d. "In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases above mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact?" It would be a novelty in jurisprudence, as well as evidently improper to allow an appeal from the verdict of a jury, on the matter of fact; therefore, it implies and allows of a dismissal of the jury in civil cases, and especially when it is considered, that jury trial in criminal cases is expressly stipulated for, but not in civil cases.

But our situation is represented to be so critically dreadful that, however reprehensible and exceptionable the proposed plan of government may be, there is no alternative, between the adoption of it and absolute ruin. My fellow citizens, things are not at that crisis, it is the argument of tyrants; the present distracted state of Europe secures us from injury on that quarter, and as to domestic dissensions, we have not so much to fear from them, as to precipitate us into this form of government, without it is a safe and a proper one. For remember, of all possible evils that of despotism is the worst and the most to be dreaded.

Besides, it cannot be supposed, that the first essay on so difficult a subject, is so well digested, as it ought to be, if the proposed plan, after a mature deliberation, should meet the approbation of the respective States, the matter will end, but if it should be found to be fraught with dangers and inconveniences, a future general Convention being in possession of the objections, will be the better enabled to plan a suitable government.

Who's here so base, that would a bondsman be? If any, speak; for him have I offended.

Who's here so vile, that will not love his country? If any, speak; for him have I offended. [Julius Caesar, Act 3, Scene 2]

Centinel.



BRUTUS I

(PSEUDONYM BRUTUS)

**OCTOBER 18, 1787
NEW YORK**

To the Citizens of the State of New York.

When the public is called to investigate and decide upon a question in which not only the present members of the community are deeply interested, but upon which the happiness and misery of generations yet unborn is in great measure suspended, the benevolent mind cannot help feeling itself peculiarly interested in the result.

In this situation, I trust the feeble efforts of an individual, to lead the minds of the people to a wise and prudent determination, cannot fail of being acceptable to the candid and dispassionate part of the community. Encouraged by this consideration, I have been induced to offer my thoughts upon the present important crisis of our public affairs.

Perhaps this country never saw so critical a period in their political concerns. We have felt the feebleness of the ties by which these United-States are held together, and the want of sufficient energy in our present confederation, to manage, in some instances, our general concerns. Various expedients have been proposed to remedy these evils, but none have succeeded. At length a Convention of the states has been assembled, they have formed a constitution which will now, probably, be submitted to the people to ratify or reject, who are the fountain of all power, to whom alone it of right belongs to make or unmake constitutions, or forms of government, at their pleasure. The most important question that was ever proposed to your decision, or to the decision of any people under heaven, is before you, and you are to decide upon it by men of your own election, chosen specially for this purpose. If the constitution, offered to your acceptance, be a wise one, calculated

to preserve the invaluable blessings of liberty, to secure the inestimable rights of mankind, and promote human happiness, then, if you accept it, you will lay a lasting foundation of happiness for millions yet unborn; generations to come will rise up and call you blessed. You may rejoice in the prospects of this vast extended continent becoming filled with freemen, who will assert the dignity of human nature. You may solace yourselves with the idea, that society, in this favored land, will fast advance to the highest point of perfection; the human mind will expand in knowledge and virtue, and the golden age be, in some measure, realized. But if, on the other hand, this form of government contains principles that will lead to the subversion of liberty — if it tends to establish a despotism, or, what is worse, a tyrannic aristocracy; then, if you adopt it, this only remaining asylum for liberty will be shut up, and posterity will execrate your memory.

Momentous then is the question you have to determine, and you are called upon by every motive which should influence a noble and virtuous mind, to examine it well, and to make up a wise judgment. It is insisted, indeed, that this constitution must be received, be it ever so imperfect. If it has its defects, it is said, they can be best amended when they are experienced. But remember, when the people once part with power, they can seldom or never resume it again but by force. Many instances can be produced in which the people have voluntarily increased the powers of their rulers; but few, if any, in which rulers have willingly abridged their authority. This is a sufficient reason to induce you to be careful, in the first instance, how you deposit the powers of government.

With these few introductory remarks, I shall proceed to a consideration of this constitution:

The first question that presents itself on the subject is, whether a confederated government be the best for the United States or not? Or in other words, whether the thirteen United States should be reduced to one great republic, governed by one legislature, and under the direction of one executive and judicial; or whether they should continue thirteen confederated republics, under the direction and control of a supreme federal head for certain defined national purposes only?

This enquiry is important, because, although the government reported by the convention does not go to a perfect and entire consolidation, yet it approaches so near to it, that it must, if executed, certainly and infallibly terminate in it.

This government is to possess absolute and uncontrollable power, legislative, executive and judicial, with respect to every object to which it extends, for by the last clause of section 8th, article 1st, it is declared "that the Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution, in the government of the United States; or in any department or office thereof." And by the 6th article, it is declared "that this constitution, and the laws of the United States, which shall be made in pursuance thereof, and the treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution, or law of any state to the contrary notwithstanding." It appears from these articles that there is no need of any intervention of the state governments, between the Congress and the people, to execute any one power vested in the general government, and that the constitution and laws of every state are nullified and declared void, so far as they are or shall be inconsistent with this constitution, or the laws made in pursuance of it, or with treaties made under the authority of the United States. — The government then, so far as it extends, is a complete one, and not a confederation. It is as much one complete government as that of New-York or Massachusetts, has as absolute and perfect powers to make and execute all laws, to appoint officers, institute courts, declare offenses, and annex penalties, with respect to every object to which it extends, as any other in the world. So far therefore as its powers reach, all ideas of confederation are given up and lost. It is true this government is limited to certain objects, or to speak more properly, some small degree of power is still left to the states, but a little attention to the powers vested in the general government, will convince every candid man, that if it is capable of being executed, all that is reserved for the individual states must very soon be annihilated, except so far as they are barely necessary to the organization of the general government. The powers of the general legislature extend to every case that is of the least importance — there is nothing valuable to human nature, nothing dear to freemen, but what is within its power. It has authority to make laws which will affect the lives, the liberty, and property of every man in the United States; nor can the constitution or laws of any state, in any way prevent or impede the full and complete execution of every power given. The legislative power is competent to lay taxes, duties, imposts, and excises; — there is no limitation to this power, unless it be said that

the clause which directs the use to which those taxes, and duties shall be applied, may be said to be a limitation: but this is no restriction of the power at all, for by this clause they are to be applied to pay the debts and provide for the common defense and general welfare of the United States; but the legislature have authority to contract debts at their discretion; they are the sole judges of what is necessary to provide for the common defense, and they only are to determine what is for the general welfare; this power therefore is neither more nor less, than a power to lay and collect taxes, imposts, and excises, at their pleasure; not only [is] the power to lay taxes unlimited, as to the amount they may require, but it is perfect and absolute to raise them in any mode they please. No state legislature, or any power in the state governments, have any more to do in carrying this into effect, than the authority of one state has to do with that of another. In the business therefore of laying and collecting taxes, the idea of confederation is totally lost, and that of one entire republic is embraced. It is proper here to remark, that the authority to lay and collect taxes is the most important of any power that can be granted; it connects with it almost all other powers, or at least will in process of time draw all other after it; it is the great mean of protection, security, and defence, in a good government, and the great engine of oppression and tyranny in a bad one. This cannot fail of being the case, if we consider the contracted limits which are set by this constitution, to the late [state?] governments, on this article of raising money. No state can emit paper money — lay any duties, or imposts, on imports, or exports, but by consent of the Congress; and then the net produce shall be for the benefit of the United States: the only mean therefore left, for any state to support its government and discharge its debts, is by direct taxation; and the United States have also power to lay and collect taxes, in any way they please. Every one who has thought on the subject, must be convinced that but small sums of money can be collected in any country, by direct tax[s], when the foederal government begins to exercise the right of taxation in all its parts, the legislatures of the several states will find it impossible to raise monies to support their governments. Without money they cannot be supported, and they must dwindle away, and, as before observed, their powers absorbed in that of the general government.

It might be here shewn, that the power in the federal legislative, to raise and support armies at pleasure, as well in peace as in war, and their controul over the militia, tend, not only to a consolidation of the government, but the destruction of liberty. — I shall not, however, dwell upon these, as a few observations upon the judicial power of this government, in addition to the preceding, will fully evince the truth of the position.

The judicial power of the United States is to be vested in a supreme court, and in such inferior courts as Congress may from time to time ordain and establish. The powers of these courts are very extensive; their jurisdiction comprehends all civil causes, except such as arise between citizens of the same state; and it extends to all cases in law and equity arising under the constitution. One inferior court must be established, I presume, in each state, at least, with the necessary executive officers appendant thereto. It is easy to see, that in the common course of things, these courts will eclipse the dignity, and take away from the respectability, of the state courts. These courts will be, in themselves, totally independent of the states, deriving their authority from the United States, and receiving from them fixed salaries; and in the course of human events it is to be expected, that they will swallow up all the powers of the courts in the respective states.

How far the clause in the 8th section of the 1st article may operate to do away all idea of confederated states, and to effect an entire consolidation of the whole into one general government, it is impossible to say. The powers given by this article are very general and comprehensive, and it may receive a construction to justify the passing almost any law. A power to make all laws, which shall be necessary and proper, for carrying into execution, all powers vested by the constitution in the government of the United States, or any department or officer thereof, is a power very comprehensive and definite [indefinite?], and may, for ought I know, be exercised in a such manner as entirely to abolish the state legislatures. Suppose the legislature of a state should pass a law to raise money to support their government and pay the state debt, may the Congress repeal this law, because it may prevent the collection of a tax which they may think proper and necessary to lay, to provide for the general welfare of the United States? For all laws made, in pursuance of this constitution, are the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the constitution or laws of the different states to the contrary notwithstanding. — By such a law, the government of a particular state might be overturned at one stroke, and thereby be deprived of every means of its support.

It is not meant, by stating this case, to insinuate that the constitution would warrant a law of this kind; or unnecessarily to alarm the fears of the people, by suggesting, that the federal legislature would be more likely to pass the limits assigned them by the constitution, than that of an individual state, further than they are less responsible to the people. But what is meant is, that the legislature of the United States are vested with the great and uncontrollable powers, of laying and collecting taxes, duties, imposts, and excises; of regulating trade, raising and supporting armies, organizing, arming, and disciplining the militia, instituting courts, and other general powers. And are by this clause invested with the power of making all laws, proper and necessary, for carrying all these into execution; and they may so exercise this power as entirely to annihilate all the state governments, and reduce this country to one single government. And if they may do it, it is pretty certain they will; for it will be found that the power retained by individual states, small as it is, will be a clog upon the wheels of the government of the United States; the latter therefore will be naturally inclined to remove it out of the way. Besides, it is a truth confirmed by the unerring experience of ages, that every man, and every body of men, invested with power, are ever disposed to increase it, and to acquire a superiority over every thing that stands in their way. This disposition, which is implanted in human nature, will operate in the federal legislature to lessen and ultimately to subvert the state authority, and having such advantages, will most certainly succeed, if the federal government succeeds at all. It must be very evident then, that what this constitution wants of being a complete consolidation of the several parts of the union into one complete government, possessed of perfect legislative, judicial, and executive powers, to all intents and purposes, it will necessarily acquire in its exercise and operation.

Let us now proceed to enquire, as I at first proposed, whether it be best the thirteen United States should be reduced to one great republic, or not? It is here taken for granted, that all agree in this, that whatever government we adopt, it ought to be a free one; that it should be so framed as to secure the liberty of the citizens of America, and such an one as to admit of a full, fair, and equal representation of the people. The question then will be, whether a government thus constituted, and founded on such principles, is practicable, and can be exercised over the whole United States, reduced into one state?

If respect is to be paid to the opinion of the greatest and wisest men who have ever thought or wrote on the science of government, we shall be constrained to conclude, that a free republic cannot succeed over a country of such immense extent, containing such a number of inhabitants, and these increasing in such rapid progression as that of the whole United States. Among the many illustrious authorities which might be produced to this point, I shall content myself with quoting only two. The one is the baron de Montesquieu, spirit of laws, chap. xvi. vol. I [book VIII]. "It is natural to a republic to have only a small territory, otherwise it cannot long subsist. In a large republic there are men of large fortunes, and consequently of less moderation; there are trusts too great to be placed in any single subject; he has interest of his own; he soon begins to think that he may be happy, great and glorious, by oppressing his fellow citizens; and that he may raise himself to grandeur on the ruins of his country. In a large republic, the public good is sacrificed to a thousand views; it is subordinate to exceptions, and depends on accidents. In a small one, the interest of the public is easier perceived, better understood, and more within the reach of every citizen; abuses are of less extent, and of course are less protected." Of the same opinion is the marquis Beccarari.

History furnishes no example of a free republic, any thing like the extent of the United States. The Grecian republics were of small extent; so also was that of the Romans. Both of these, it is true, in process of time, extended their conquests over large territories of country; and the consequence was, that their governments were changed from that of free governments to those of the most tyrannical that ever existed in the world.

Not only the opinion of the greatest men, and the experience of mankind, are against the idea of an extensive republic, but a variety of reasons may be drawn from the reason and nature of things, against it. In every government, the will of the sovereign is the law. In despotic governments, the supreme authority being lodged in one, his will is law, and can be as easily expressed to a large extensive territory as to a small one. In a pure democracy the people are the sovereign, and their will is declared by themselves; for this purpose they must all come together to deliberate, and decide. This kind of government cannot be exercised, therefore, over a country of any considerable extent; it must be confined to a single city, or at least limited to such bounds as that the people can conveniently assemble, be able to debate, understand the subject submitted to them, and declare their opinion concerning it.

In a free republic, although all laws are derived from the consent of the people, yet the people do not declare their consent by themselves in person, but by representatives, chosen by them, who are supposed to know the minds of their constituents, and to be possessed of integrity to declare this mind.

In every free government, the people must give their assent to the laws by which they are governed. This is the true criterion between a free government and an arbitrary one. The former are ruled by the will of the whole, expressed in any manner they may agree upon; the latter by the will of one, or a few. If the people are to give their assent to the laws, by persons chosen and appointed by them, the manner of the choice and the number chosen, must be such, as to possess, be disposed, and consequently qualified to declare the sentiments of the people; for if they do not know, or are not disposed to speak the sentiments of the people, the people do not govern, but the sovereignty is in a few. Now, in a large extended country, it is impossible to have a representation, possessing the sentiments, and of integrity, to declare the minds of the people, without having it so numerous and unwieldy, as to be subject in great measure to the inconvenience of a democratic government.

The territory of the United States is of vast extent; it now contains near three millions of souls, and is capable of containing much more than ten times that number. Is it practicable for a country, so large and so numerous as they will soon become, to elect a representation, that will speak their sentiments, without their becoming so numerous as to be incapable of transacting public business? It certainly is not.

In a republic, the manners, sentiments, and interests of the people should be similar. If this be not the case, there will be a constant clashing of opinions; and the representatives of one part will be continually striving against those of the other. This will retard the operations of government, and prevent such conclusions as will promote the public good. If we apply this remark to the condition of the United States, we shall be convinced that it forbids that we should be one government. The United States includes a variety of climates. The productions of the different parts of the union are very variant, and their interests, of consequence, diverse. Their manners and habits differ as much as their climates and productions; and their sentiments are by no means coincident. The laws and customs of the several states are, in many respects, very diverse, and in some opposite; each would be in favor of its own interests and customs, and, of consequence, a legislature, formed of representatives from the respective parts, would not only be too numerous to act with any care or decision, but would be composed of such heterogenous and discordant principles, as would constantly be contending with each other.

The laws cannot be executed in a republic, of an extent equal to that of the United States, with promptitude.

The magistrates in every government must be supported in the execution of the laws, either by an armed force, maintained at the public expense for that purpose; or by the people turning out to aid the magistrate upon his command, in case of resistance.

In despotic governments, as well as in all the monarchies of Europe, standing armies are kept up to execute the commands of the prince or the magistrate, and are employed for this purpose when occasion requires: But they have always proved the destruction of liberty, and [are] abhorrent to the spirit of a free republic. In England, where they depend upon the parliament for their annual support, they have always been complained of as oppressive and unconstitutional, and are seldom employed in executing of the laws; never except on extraordinary occasions, and then under the direction of a civil magistrate.

A free republic will never keep a standing army to execute its laws. It must depend upon the support of its citizens. But when a government is to receive its support from the aid of the citizens, it must be so constructed as to have the confidence, respect, and affection of the people." Men who, upon the call of the magistrate, offer themselves to execute the laws, are influenced to do it either by affection to the government, or from fear; where a standing army is at hand to punish offenders, every man is actuated by the latter principle, and therefore, when the magistrate calls, will obey: but, where this is not the case, the government must rest for its support upon the confidence and respect which the people have for their government and laws. The body of the people being attached, the government will always be sufficient to support and execute its laws, and to operate upon the fears of any faction which may be opposed to it, not only to prevent an opposition to the execution of the laws themselves, but also to compel the most of them to aid the magistrate; but the people will not be likely to have such confidence in their rulers, in a re-

public so extensive as the United States, as necessary for these purposes. The confidence which the people have in their rulers, in a free republic, arises from their knowing them, from their being responsible to them for their conduct, and from the power they have of displacing them when they misbehave: but in a republic of the extent of this continent, the people in general would be acquainted with very few of their rulers: the people at large would know little of their proceedings, and it would be extremely difficult to change them. The people in Georgia and New-Hampshire would not know one another's mind, and therefore could not act in concert to enable them to effect a general change of representatives. The different parts of so extensive a country could not possibly be made acquainted with the conduct of their representatives, nor be informed of the reasons upon which measures were founded. The consequence will be, they will have no confidence in their legislature, suspect them of ambitious views, be jealous of every measure they adopt, and will not support the laws they pass. Hence the government will be nerveless and inefficient, and no way will be left to render it otherwise, but by establishing an armed force to execute the laws at the point of the bayonet — a government of all others the most to be dreaded.

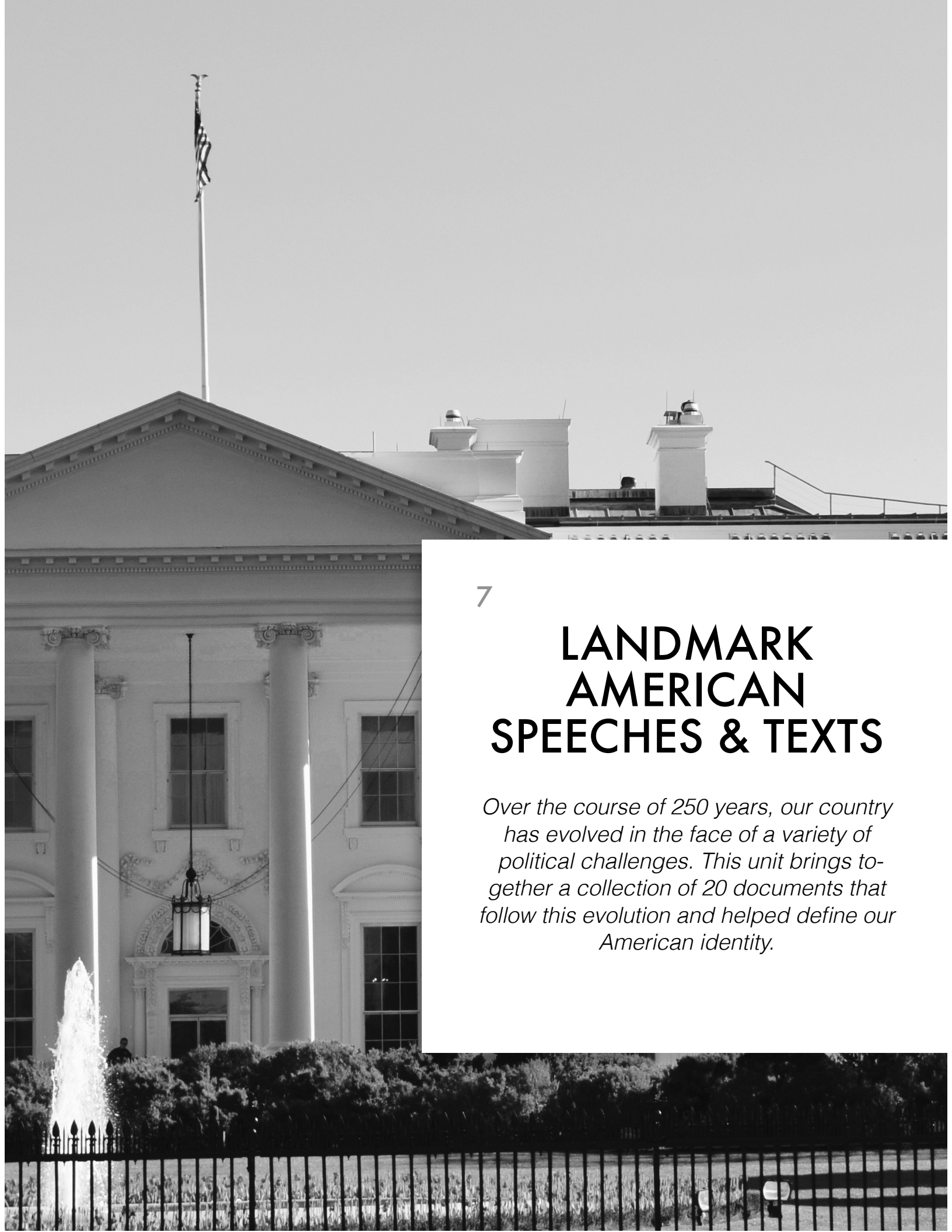
In a republic of such vast extent as the United-States, the legislature cannot attend to the various concerns and wants of its different parts. It cannot be sufficiently numerous to be acquainted with the local condition and wants of the different districts, and if it could, it is impossible it should have sufficient time to attend to and provide for all the variety of cases of this nature, that would be continually arising.

In so extensive a republic, the great officers of government would soon become above the control of the people, and abuse their power to the purpose of aggrandizing themselves, and oppressing them. The trust committed to the executive offices, in a country of the extent of the United-States, must be various and of magnitude. The command of all the troops and navy of the republic, the appointment of officers, the power of pardoning offenses, the collecting of all the public revenues, and the power of expending them, with a number of other powers, must be lodged and exercised in every state, in the hands of a few. When these are attended with great honor and emolument, as they always will be in large states, so as greatly to interest men to pursue them, and to be proper objects for ambitious and designing men, such men will be ever restless in their pursuit after them. They will use the power, when they have acquired it, to the purposes of gratifying their own interest and ambition, and it is scarcely possible, in a very large republic, to call them to account for their misconduct, or to prevent their abuse of power.

These are some of the reasons by which it appears, that a free republic cannot long subsist over a country of the great extent of these states. If then this new constitution is calculated to consolidate the thirteen states into one, as it evidently is, it ought not to be adopted.

Though I am of opinion, that it is a sufficient objection to this government, to reject it, that it creates the whole union into one government, under the form of a republic, yet if this objection was obviated, there are exceptions to it, which are so material and fundamental, that they ought to determine every man, who is a friend to the liberty and happiness of mankind, not to adopt it. I beg the candid and dispassionate attention of my countrymen while I state these objections — they are such as have obtruded themselves upon my mind upon a careful attention to the matter, and such as I sincerely believe are well founded. There are many objections, of small moment, of which I shall take no notice — perfection is not to be expected in any thing that is the production of man — and if I did not in my conscience believe that this scheme was defective in the fundamental principles — in the foundation upon which a free and equal government must rest — I would hold my peace.

Brutus.



7

LANDMARK AMERICAN SPEECHES & TEXTS

Over the course of 250 years, our country has evolved in the face of a variety of political challenges. This unit brings together a collection of 20 documents that follow this evolution and helped define our American identity.



“TREE OF LIBERTY”
LETTER TO WILLIAM SMITH
NOVEMBER 13, 1787, PARIS

DEAR SIR,

I am now to acknowledge the receipt of your favors of October the 4th, 8th, & 26th. In the last you apologize for your letters of introduction to Americans coming here. It is so far from needing apology on your part, that it calls for thanks on mine.

I endeavor to show civilities to all the Americans who come here, & will give me opportunities of doing it: and it is a matter of comfort to know from a good quarter what they are, & how far I may go in my attentions to them. . .

Wonderful is the effect of impudent & persevering lying. The British ministry have so long hired their gazetteers to repeat and model into every form lies about our being in anarchy, that the world has at length believed them, the English nation has believed them, the ministers themselves have come to believe them, & what is more wonderful, we have believed them ourselves.

Yet where does this anarchy exist? Where did it ever exist, except in the single instance of Massachusetts? And can history produce an instance of rebellion so honorably conducted? I say nothing of its motives. They were founded in ignorance, not wickedness.

God forbid we should ever be 20 years without such a rebellion. The people cannot be all, & always well informed. The part which is wrong will be discontented in proportion to the importance of the facts they misconceive. If they remain quiet under such misconceptions it is a lethargy, the forerunner of death to the public liberty.

We have had 13 states independent 11 years. There has been one rebellion. That comes to one rebellion in a century & a half for each state. What country before ever existed a century & a half without a rebellion? What country can preserve it's liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance?

Let them take arms. The remedy is to set them right as to facts, pardon & pacify them. What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots & tyrants. It is it's natural manure. Our Convention has been too much impressed by the insurrection of Massachusetts: and in the spur of the moment they are setting up a kite to keep the hen-yard in order. .

Thomas Jefferson
US Ambassador to France



LETTER TO THE HEBREW CONGREGATION AT NEWPORT AUGUST 18, 1790

Gentlemen:

While I received with much satisfaction your address replete with expressions of esteem, I rejoice in the opportunity of assuring you that I shall always retain grateful remembrance of the cordial welcome I experienced on my visit to Newport from all classes of citizens.

The reflection on the days of difficulty and danger which are past is rendered the more sweet from a consciousness that they are succeeded by days of uncommon prosperity and security.

If we have wisdom to make the best use of the advantages with which we are now favored, we cannot fail, under the just administration of a good government, to become a great and happy people.

The citizens of the United States of America have a right to applaud themselves for having given to mankind examples of an enlarged and liberal policy — a policy worthy of imitation. All possess alike liberty of conscience and immunities of citizenship.

It is now no more that toleration is spoken of as if it were the indulgence of one class of people that another enjoyed the exercise of their inherent natural rights, for, happily, the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens in giving it on all occasions their effectual support.

It would be inconsistent with the frankness of my character not to avow that I am pleased with your favorable opinion of my administration and fervent wishes for my felicity.

May the children of the stock of Abraham who dwell in this land continue to merit and enjoy the good will of the other inhabitants — while everyone shall sit in safety under his own vine and fig tree and there shall be none to make him afraid.

May the father of all mercies scatter light, and not darkness, upon our paths, and make us all in our several vocations useful here, and in His own due time and way everlastingly happy.

George Washington



FAREWELL ADDRESS

**PRESIDENT
GEORGE WASHINGTON**

**SEPTEMBER 19, 1796
PHILADELPHIA**

In parts of this were written in anticipation of leaving office after one term, Washington elaborated the earlier draft to address what he believed would be the biggest challenges to the fledgling republic.

Like many other aspects of Washington's presidency, the concept of a farewell address became a custom for all presidents that followed.

Friends and Citizens:

The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to

the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that, in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad; of your safety; of your prosperity; of

that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together; the independence and liberty you possess are the work of joint counsels, and joint efforts of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and, while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and, what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same governments, which their own rival ships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations, Northern and Southern, Atlantic and Western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our Western country have lately had a useful lesson on this head; they have seen, in the negotiation by the Executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests in regard to the Mississippi; they have been witnesses to the formation of two treaties, that with Great Britain, and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliance, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force; to put, in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the State, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but, in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms, kindles the animosity of one part against another, fomented occasionally riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for

every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositaries, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit, which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked: Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it, avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertion in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment, inseparable from the selection of the proper objects (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be, that good policy does not equally enjoin it - It will be worthy of a free, enlightened, and at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it ? Can it be that Providence has not connected the permanent felicity of a nation with its virtue ? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another a habitual hatred or a habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others which is apt doubly to injure the nation making the concessions; by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation), facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding, with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils. Such an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots who may resist the intrigues of the favorite are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us in regard to foreign nations is in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith.

Here let us stop. Europe has a set of primary interests which to us have none; or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government. the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing (with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them) conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that, by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion, which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations. But, if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the twenty-second of April, 1793, is the index of my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government, the ever-favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.



DEMOCRACY IN AMERICA

ALEXIS DE TOCQUEVILLE

1831
PARIS

Sent by the French Government to Study American Prisons, Alexis de Tocqueville's travels led to a wider commentary on life in America in contrast to Europe.

His Account of Jacksonian America (As well as Canada) has been studied for generations and provides a unique perspective on American democracy.

GOVERNMENT OF THE DEMOCRACY IN AMERICA

I AM well aware of the difficulties that attend this part of my subject; but although every expression which I am about to use may clash, upon some points, with the feelings of the different parties which divide my country, I shall still speak my whole thought.

In Europe we are at a loss how to judge the true character and the permanent instincts of democracy, because in Europe two conflicting principles exist and we do not know what to attribute to the principles themselves and what to the passions that the contest produces. Such is not the case in America, however; there the people reign without impediment, and they have no perils to dread and no injuries to avenge. In America democracy is given up to its own propensities; its course is natural and its activity is unrestrained, there, consequently, its real character must be judged. And to no people can this inquiry be more vitally interesting than to the French nation, who are blindly driven onwards, by a daily and irresistible impulse, towards a state of things which may prove either despotic or republican, but which will assuredly be democratic.

UNIVERSAL SUFFRAGE

I HAVE already observed that universal suffrage has been adopted in all the states of the Union; it consequently exists in communities that occupy very different positions in the social scale. I have had opportunities of observing its effects in different localities and among races of men who are nearly strangers to each other in their language, their religion, and their modes of life; in Louisiana as well as in New England, in Georgia as in Canada. I have remarked that universal suffrage is

far from producing in America either all the good or all the evil consequences which may be expected from it in Europe, and that its effects generally differ very much from those which are attributed to it.

THE CHOICE OF THE PEOPLE, AND THE INSTINCTIVE PREFERENCES OF THE AMERICAN DEMOCRACY.

In the United States the ablest men are rarely placed at the head of affairs--Reason for this peculiarity--The envy which prevails in the lower orders of France against the higher classes is not a French but a purely democratic feeling--Why the most distinguished men in America frequently seclude themselves from public affairs.

MANY people in Europe are apt to believe without saying it, or to say without believing it, that one of the great advantages of universal suffrage is that it entrusts the direction of affairs to men who are worthy of the public confidence. They admit that the people are unable to govern of themselves, but they aver that the people always wish the welfare of the state and instinctively designate those who are animated by the same good will and who are the most fit to wield the supreme authority. I confess that the observations I made in America by no means coincide with these opinions. On my arrival in the United States I was surprised to find so much distinguished talent among the citizens and so little among the heads of the government. It is a constant fact that at the present day the ablest men in the United States are rarely placed at the head of affairs; and it must be acknowledged that such has been the result in proportion as democracy has exceeded all its former limits. The race of American statesmen has evidently dwindled most remarkably in the course of the last fifty years.

Several causes may be assigned for this phenomenon. It is impossible, after the most strenuous exertions, to raise the intelligence of the people above a certain level. Whatever may be the facilities of acquiring information, whatever may be the profusion of easy methods and cheap science, the human mind can never be instructed and developed without devoting considerable time to these objects.

The greater or lesser ease with which people can live without working is a sure index of intellectual progress. This boundary is more remote in some countries and more restricted in others, but it must exist somewhere as long as the people are forced to work in order to procure the means of subsistence; that is to say, as long as they continue to be the people. It is therefore quite as difficult to imagine a state in which all the citizens are very well informed as a state in which they are all wealthy; these two difficulties are correlative. I readily admit that the mass of the citizens sincerely wish to promote the welfare of the country; nay, more, I even grant that the lower classes mix fewer considerations of personal interest with their patriotism than the higher orders; but it is always more or less difficult for them to discern the best means of attaining the end which they sincerely desire. Long and patient observation and much acquired knowledge are requisite to form a just estimate of the character of a single individual. Men of the greatest genius often fail to do it, and can it be supposed that the common people will always succeed? The people have neither the time nor the means for an investigation of this kind. Their conclusions are hastily formed from a superficial inspection of the more prominent features of a question. Hence it often happens that mountebanks of all sorts are able to please the people, while their truest friends frequently fail to gain their confidence.

Moreover, democracy not only lacks that soundness of judgment which is necessary to select men really deserving of their confidence, but often have not the desire or the inclination to find them out. It cannot be denied that democratic institutions strongly tend to promote the feeling of envy in the human heart; not so much because they afford to everyone the means of rising to the same level with others as because those means perpetually disappoint the persons who employ them. Democratic institutions awaken and foster a passion for equality which they can never entirely satisfy. This complete equality eludes the grasp of the people at the very moment when they think they have grasped it, and "flies," as Pascal says, "with an eternal flight; the people are excited in the pursuit of an advantage, which is more precious because it is not sufficiently remote to be unknown or sufficiently near to be enjoyed. The lower orders are agitated by the chance of success, they are irritated by its uncertainty; and they pass from the enthusiasm of pursuit to the exhaustion of ill success, and lastly to the acrimony of disappointment. Whatever transcends their own limitations appears to be an obstacle to their desires, and there is no superiority, however legitimate it may be, which is not irksome in their sight.

It has been supposed that the secret instinct which leads the lower orders to remove their superiors as much as possible from the direction of public affairs is peculiar to France. This is an error, however; the instinct to which I allude is not French, it is democratic; it may have been heightened by peculiar political circumstances, but it owes its origin to a higher cause.

In the United States the people do not hate the higher classes of society, but are not favorably inclined towards them and carefully exclude them from the exercise of authority. They do not fear distinguished talents, but are rarely fond of them. In general, everyone who rises without their aid seldom obtains their favor.

While the natural instincts of democracy induce the people to reject distinguished citizens as their rulers, an instinct not less strong induces able men to retire from the political arena, in which it is so difficult to retain their independence, or to advance without becoming servile. This opinion has been candidly expressed by Chancellor Kent, who says, in speaking with high praise of that part of the Constitution which empowers the executive to nominate the judges: "It is indeed probable that the men who are best fitted to discharge the duties of this high office would have too much reserve in their manners, and too much austerity in their principles, for them to be returned by the majority at an election where universal suffrage is adopted." Such were the opinions which were printed without contradiction in America in the year 1830!

I hold it to be sufficiently demonstrated that universal suffrage is by no means a guarantee of the wisdom of the popular choice. Whatever its advantages may be, this is not one of them.

WHAT SORT OF DESPOTISM DEMOCRATIC NATIONS HAVE TO FEAR

I HAD remarked during my stay in the United States that a democratic state of society, similar to that of the Americans, might offer singular facilities for the establishment of despotism; and I perceived, upon my return to Europe, how much use had already been made, by most of our rulers, of the notions, the sentiments, and the wants created by this same social condition, for the purpose of extending the circle of their power. This led me to think that the nations of Christendom would perhaps eventually undergo some oppression like that which hung over several of the nations of the ancient world. .

A more accurate examination of the subject, and five years of further meditation, have not diminished my fears, but have changed their object.

No sovereign ever lived in former ages so absolute or so powerful as to undertake to administer by his own agency, and without the assistance of intermediate powers, all the parts of a great empire; none ever attempted to subject all his subjects indiscriminately to strict uniformity of regulation and personally to tutor and direct every member of the community. The notion of such an undertaking never occurred to the human mind; and if any man had conceived it, the want of information, the imperfection of the administrative system, and, above all, the natural obstacles caused by the inequality of conditions would speedily have checked the execution of so vast a design.

When the Roman emperors were at the height of their power, the different nations of the empire still preserved usages and customs of great diversity; although they were subject to the same monarch, most of the provinces were separately administered; they abounded in powerful and active municipalities; and although the whole government of the empire was centered in the hands of the Emperor alone and he always remained, in case of need, the supreme arbiter in all matters, yet the details of social life and private occupations lay for the most part beyond his control. The emperors possessed, it is true, an immense and unchecked power, which allowed them to gratify all their whimsical tastes and to employ for that purpose the whole strength of the state. They frequently abused that power arbitrarily to deprive their subjects of property or of life; their tyranny was extremely onerous to the few, but it did not reach the many; it was confined to some few main objects and neglected the rest; it was violent, but its range was limited.

It would seem that if despotism were to be established among the democratic nations of our days, it might assume a different character; it would be more extensive and more mild; it would degrade men without tormenting them. I do not question that, in an age of instruction and equality like our own, sovereigns might more easily succeed in collecting all political power into their own hands and might interfere more habitually and decidedly with the circle of private interests than any sovereign of antiquity could ever do. But this same principle of equality which facilitates despotism tempers its rigor. We have seen how the customs of society become more humane and gentle in proportion as men become more equal and alike. When no member of the community has much power or much wealth, tyranny is, as it were, without opportunities and a field of action. As all fortunes are scanty, the passions of men are naturally circumscribed, their imagination limited, their pleasures simple. This universal moderation moderates the sovereign himself and checks within certain limits the inordinate stretch of his desires.

Independently of these reasons, drawn from the nature of the state of society itself, I might add many others arising from causes beyond my subject; but I shall keep within the limits I have laid down.

Democratic governments may become violent and even cruel at certain periods of extreme effervescence or of great danger, but these crises will be rare and brief. When I consider the petty passions of our contemporaries, the mildness of their manners, the extent of their education, the purity of their religion, the gentleness of their morality, their regular and industrious habits, and the restraint which they almost all observe in their vices no less than in their virtues, I have no fear that they will meet with tyrants in their rulers, but rather with guardians.

I think, then, that the species of oppression by which democratic nations are menaced is unlike anything that ever before existed in the world; our contemporaries will find no prototype of it in their memories. I seek in vain for an expression that will accurately convey the whole of the idea I have formed of it; the old words despotism and tyranny are inappropriate: the thing itself is new, and since I cannot name, I must attempt to define it.

I seek to trace the novel features under which despotism may appear in the world. The first thing that strikes the observation is an innumerable multitude of men, all equal and alike, incessantly endeavoring to procure the petty and paltry pleasures with which they glut their lives. Each of them, living apart, is as a stranger to the fate of all the rest; his children and his private friends constitute to him the whole of mankind. As for the rest of his fellow citizens, he is close to them, but he does not see them; he touches them, but he does not feel them; he exists only in himself and for himself alone; and if his kindred still remain to him, he may be said at any rate to have lost his country.

Above this race of men stands an immense and tutelary power, which takes upon itself alone to secure their gratifications and to watch over their fate. That power is absolute, minute, regular, provident, and mild. It would be like the authority of a parent if, like that authority, its object was to prepare men for manhood; but it seeks, on the contrary, to keep them in perpetual childhood: it is well content that the people should rejoice, provided they think of nothing but rejoicing. For their happiness such a government willingly labors, but it chooses to be the sole agent and the only arbiter of that happiness; it provides for their security, foresees and supplies their necessities, facilitates their pleasures, manages their principal concerns, directs their industry, regulates the descent of property, and subdivides their inheritances: what remains, but to spare them all the care of thinking and all the trouble of living?

Thus it every day renders the exercise of the free agency of man less useful and less frequent; it circumscribes the will within a narrower range and gradually robs a man of all the uses of himself. The principle of equality has prepared men for these things; it has predisposed men to endure them and often to look on them as benefits.

After having thus successively taken each member of the community in its powerful grasp and fashioned him at will, the supreme power then extends its arm over the whole community. It covers the surface of society with a network of small complicated rules, minute and uniform, through which the most original minds and the most energetic characters cannot penetrate, to rise above the crowd. The will of man is not shattered, but softened, bent, and guided; men are seldom forced by it to act, but they are constantly restrained from acting. Such a power does not destroy, but it prevents existence; it does not tyrannize, but it compresses, enervates, extinguishes, and stupefies a people, till each nation is reduced to nothing better than a flock of timid and industrious animals, of which the government is the shepherd.

I have always thought that servitude of the regular, quiet, and gentle kind which I have just described might be combined more easily than is commonly believed with some of the outward forms of freedom, and that it might even establish itself under the wing of the sovereignty of the people.

Our contemporaries are constantly excited by two conflicting passions: they want to be led, and they wish to remain free. As they cannot destroy either the one or the other of these contrary propensities, they strive to satisfy them both at once. They devise a sole, tutelary, and all-powerful form of government, but elected by the people. They combine the principle of centralization and that of popular sovereignty; this gives them a respite: they console themselves for being in tutelage by the reflection that they have chosen their own guardians. Every man allows himself to be put in leading-strings, because he sees that it is not a person or a class of persons, but the people at large who hold the end of his chain.

By this system the people shake off their state of dependence just long enough to select their master and then relapse into it again. A great many persons at the present day are quite contented with this sort of compromise between administrative despotism and the sovereignty of the people; and they think they have done enough for the protection of individual freedom when they have surrendered it to the power of the nation at large. This does not satisfy me: the nature of him I am to obey signifies less to me than the fact of extorted obedience. I do not deny, however, that a constitution of this kind appears to me to be infinitely preferable to one which, after having concentrated all the powers of government, should vest them in the hands of an irresponsible person or body of persons. Of all the forms that democratic despotism could assume, the latter would assuredly be the worst.

When the sovereign is elective, or narrowly watched by a legislature which is really elective and independent, the oppression that he exercises over individuals is sometimes greater, but it is always less degrading; because every man, when he is oppressed and disarmed, may still imagine that, while he yields obedience, it is to himself he yields it, and that it is to one of his own inclinations that all the rest give way. In like manner, I can understand that when the sovereign represents the nation and is dependent upon the people, the rights and the power of which every citizen is deprived serve not only the head of the state, but the state itself; and that private persons derive some return from the sacrifice of their independence which they have made to the public. To create a representation of the people in every centralized country is, therefore, to diminish the evil that extreme centralization may produce, but not to get rid of it.

I admit that, by this means, room is left for the intervention of individuals in the more important affairs; but it is not the less suppressed in the smaller and more private ones. It must not be forgotten that it is especially dangerous to enslave men in the minor details of life. For my own part, I should be inclined to think freedom less necessary in great things than in little ones, if it were possible to be secure of the one without possessing the other.

Subjection in minor affairs breaks out every day and is felt by the whole community indiscriminately. It does not drive men to resistance, but it crosses them at every turn, till they are led to surrender the exercise of their own will. Thus their spirit is gradually broken and their character enervated; whereas that obedience which is exacted on a few important but rare occasions only exhibits servitude at certain intervals and throws the burden of it upon a small number of men. It is in vain to summon a people who have been rendered so dependent on the central power to choose from time to time the representatives of that power; this rare and brief exercise of their free choice, however important it may be, will not prevent them from gradually losing the faculties of thinking, feeling, and acting for themselves, and thus gradually falling below the level of humanity.

I add that they will soon become incapable of exercising the great and only privilege which remains to them. The democratic nations that have introduced freedom into their political constitution at the very time when they were augmenting the despotism of their administrative constitution have been led into strange paradoxes. To manage those minor affairs in which good sense is all that is wanted, the people are held to be unequal to the task; but when the government of the country is at stake, the people are invested with immense powers; they are alternately made the play things of their ruler, and his masters, more than kings and less than men. After having exhausted all the different modes of election without finding one to suit their purpose, they are still amazed and still bent on seeking further; as if the evil they notice did not originate in the constitution of the country far more than in that of the electoral body.

It is indeed difficult to conceive how men who have entirely given up the habit of self-government should succeed in making a proper choice of those by whom they are to be governed; and no one will ever believe that a liberal, wise, and energetic government can spring from the suffrages of a subservient people.²

A constitution republican in its head and ultra-monarchical in all its other parts has always appeared to me to be a short-lived monster. The vices of rulers and the ineptitude of the people would speedily bring about its ruin; and the nation, weary of its representatives and of itself, would create freer institutions or soon return to stretch itself at the feet of a single master.

CONTINUATION OF THE PRECEDING CHAPTERS

I BELIEVE that it is easier to establish an absolute and despotic government among a people in which the conditions of society are equal than among any other; and I think that if such a government were once established among such a people, it not only would oppress men, but would eventually strip each of them of several of the highest qualities of humanity. Despotism, therefore, appears to me peculiarly to be dreaded in democratic times. I should have loved freedom, I believe, at all times, but in the

time in which we live I am ready to worship it. On the other hand, I am persuaded that all who attempt, in the ages upon which we are entering, to base freedom upon aristocratic privilege will fail; that all who attempt to draw and to retain authority within a single class will fail. At the present day no ruler is skillful or strong enough to found a despotism by re-establishing permanent distinctions of rank among his subjects; no legislator is wise or powerful enough to preserve free institutions if he does not take equality for his first principle and his watchword. All of our contemporaries who would establish or secure the independence and the dignity of their fellow men must show themselves the friends of equality; and the only worthy means of showing themselves as such is to be so: upon this depends the success of their holy enterprise. Thus the question is not how to reconstruct aristocratic society, but how to make liberty proceed out of that democratic state of society in which God has placed us.

These two truths appear to me simple, clear, and fertile in consequences; and they naturally lead me to consider what kind of free government can be established among a people in which social conditions are equal.

It results from the very constitution of democratic nations and from their necessities that the power of government among them must be more uniform, more centralized, more extensive, more searching, and more efficient than in other countries. Society at large is naturally stronger and more active, the individual more subordinate and weak; the former does more, the latter less; and this is inevitably the case.

It is not, therefore, to be expected that the range of private independence will ever be so extensive in democratic as in aristocratic countries; nor is this to be desired; for among aristocratic nations the mass is often sacrificed to the individual, and the prosperity of the greater number to the greatness of the few. It is both necessary and desirable that the government of a democratic people should be active and powerful; and our object should not be to render it weak or indolent, but solely to prevent it from abusing its aptitude and its strength.

The circumstance which most contributed to secure the independence of private persons in aristocratic ages was that the supreme power did not affect to take upon itself alone the government and administration of the community. Those functions were necessarily partially left to the members of the aristocracy; so that, as the supreme power was always divided, it never weighed with its whole weight and in the same manner on each individual.

Not only did the government not perform everything by its immediate agency, but as most of the agents who discharged its duties derived their power, not from the state, but from the circumstance of their birth, they were not perpetually under its control. The government could not make or unmake them in an instant, at pleasure, or bend them in strict uniformity to its slightest caprice; this was an additional guarantee of private independence.

I readily admit that recourse cannot be had to the same means at the present time, but I discover certain democratic expedients that may be substituted for them. Instead of vesting in the government alone all the administrative powers of which guilds and nobles have been deprived, a portion of them may be entrusted to secondary public bodies temporarily composed of private citizens: thus the liberty of private persons will be more secure, and their equality will not be diminished. The Americans, who care less for words than the French, still designate by the name of County the largest of their administrative districts; but the duties of the count or lord-lieutenant are in part performed by a provincial assembly.

At a period of equality like our own, it would be unjust and unreasonable to institute hereditary officers; but there is nothing to prevent us from substituting elective public officers to a certain extent. Election is a democratic expedient, which ensures the independence of the public officer in relation to the government as much as hereditary rank can ensure it among aristocratic nations, and even more so.

Aristocratic countries abound in wealthy and influential persons who are competent to provide for themselves and who cannot be easily or secretly oppressed; such persons restrain a government within general habits of moderation and reserve. I am well aware that democratic countries contain no such persons naturally, but something analogous to them may be created by artificial means. I firmly believe that an aristocracy cannot again be founded in the world, but I think that private citizens, by combining together, may constitute bodies of great wealth, influence, and strength, corresponding to the persons of an aristocracy. By this means many of the greatest political advantages of aristocracy would be obtained without its injustice or its dangers. An association for political, commercial, or manufacturing purposes, or even for those of science and literature, is a powerful and enlightened member of the community, which cannot be disposed of at pleasure or oppressed without remonstrance, and which, by defending its own rights against the encroachments of the government, saves the common liberties of the country.

In periods of aristocracy every man is always bound so closely to many of his fellow citizens that he cannot be assailed without their coming to his assistance. In ages of equality every man naturally stands alone; he has no hereditary friends whose cooperation he may demand, no class upon whose sympathy he may rely; he is easily got rid of, and he is trampled on with impunity. At the present time an oppressed member of the community has therefore only one method of self-defense: he may appeal to the whole nation, and if the whole nation is deaf to his complaint, he may appeal to mankind. The only means he has of making this appeal is by the press. Thus the liberty of the press is infinitely more valuable among democratic nations than among all others; it is the only cure for the evils that equality may produce. Equality sets men apart and weakens them; but the press places a powerful weapon within every man's reach, which the weakest and loneliest of them all may use. Equality deprives a man of the support of his connections, but the press enables him to summon all his fellow countrymen and all his fellow men to his assistance. Printing has accelerated the progress of equality, and it is also one of its best correctives.

I think that men living in aristocracies may, strictly speaking, do without the liberty of the press; but such is not the case with those who live in democratic countries. To protect their personal independence I do not trust to great political assemblies, to parliamentary privilege, or to the assertion of popular sovereignty. All these things may, to a certain extent, be reconciled with personal servitude. But that servitude cannot be complete if the press is free; the press is the chief democratic instrument of freedom.

Something analogous may be said of the judicial power. It is a part of the essence of judicial power to attend to private interests and to fix itself with predilection on minute objects submitted to its observation. Another essential quality of judicial power is never to volunteer its assistance to the oppressed, but always to be at the disposal of the humblest of those who solicit it; their complaint, however feeble they may themselves be, will force itself upon the ear of justice and claim redress, for this is inherent in the very constitution of courts of justice.

A power of this kind is therefore peculiarly adapted to the wants of freedom, at a time when the eye and finger of the government are constantly intruding into the minutest details of human actions, and when private persons are at once too weak to protect themselves and too much isolated for them to reckon upon the assistance of their fellows. The strength of the courts of law has always been the greatest security that can be offered to personal independence; but this is more especially the case in democratic ages. Private rights and interests are in constant danger if the judicial power does not grow more extensive and stronger to keep pace with the growing equality of conditions.

Equality awakens in men several propensities extremely dangerous to freedom, to which the attention of the legislator ought constantly be directed. I shall only remind the reader of the most important among them.

Men living in democratic ages do not readily comprehend the utility of forms: they feel an instinctive contempt for them, I have elsewhere shown for what reasons. Forms excite their contempt and often their hatred; as they commonly aspire to none but easy and present gratifications, they rush onwards to the object of their desires, and the slightest delay exasperates them. This same temper, carried with them into political life, renders them hostile to forms, which perpetually retard or arrest them in some of their projects.

Yet this objection which the men of democracies make to forms is the very thing which renders forms so useful to freedom; for their chief merit is to serve as a barrier between the strong and the weak, the ruler and the people, to retard the one and give the other time to look about him. Forms become more necessary in proportion as the government becomes more active and more powerful, while private persons are becoming more indolent and more feeble. Thus democratic nations naturally stand more in need of forms than other nations, and they naturally respect them less. This deserves most serious attention.

Nothing is more pitiful than the arrogant disdain of most of our contemporaries for questions of form, for the smallest questions of form have acquired in our time an importance which they never had before; many of the greatest interests of mankind depend upon them. I think that if the statesmen of aristocratic ages could sometimes despise forms with impunity and frequently rise above them, the statesmen to whom the government of nations is now confided ought to treat the very least among them with respect and not neglect them without imperious necessity. In aristocracies the observance of forms was superstitious; among us they ought to be kept up with a deliberate and enlightened deference.

Another tendency which is extremely natural to democratic nations and extremely dangerous is that which leads them to despise and undervalue the rights of private persons. The attachment that men feel to a right and the respect that they display for

it are generally proportioned to its importance or to the length of time during which they have enjoyed it. The rights of private persons among democratic nations are commonly of small importance, of recent growth, and extremely precarious; the consequence is that they are often sacrificed without regret and almost always violated without remorse.

But it happens that, at the same period and among the same nations in which men conceive a natural contempt for the rights of private persons, the rights of society at large are naturally extended and consolidated; in other words, men become less attached to private rights just when it is most necessary to retain and defend what little remains of them. It is therefore most especially in the present democratic times, that the true friends of the liberty and the greatness of man ought constantly to be on the alert to prevent the power of government from lightly sacrificing the private rights of individuals to the general execution of its designs. At such times no citizen is so obscure that it is not very dangerous to allow him to be oppressed; no private rights are so unimportant that they can be surrendered with impunity to the caprices of a government. The reason is plain: if the private right of an individual is violated at a time when the human mind is fully impressed with the importance and the sanctity of such rights, the injury done is confined to the individual whose right is infringed; but to violate such a right at the present day is deeply to corrupt the manners of the nation and to put the whole community in jeopardy, because the very notion of this kind of right constantly tends among us to be impaired and lost.

There are certain habits, certain notions, and certain vices which are peculiar to a state of revolution and which a protracted revolution cannot fail to create and to propagate, whatever, in other respects, are its character, its purpose, and the scene on which it takes place. When any nation has, within a short space of time, repeatedly varied its rulers, its opinions, and its laws, the men of whom it is composed eventually contract a taste for change and grow accustomed to see all changes effected by sudden violence. Thus they naturally conceive a contempt for forms which daily prove ineffectual; and they do not support without impatience the dominion of rules which they have so often seen infringed.

As the ordinary notions of equity and morality no longer suffice to explain and justify all the innovations daily begotten by a revolution, the principle of public utility is called in, the doctrine of political necessity is conjured up, and men accustom themselves to sacrifice private interests without scruple and to trample on the rights of individuals in order more speedily to accomplish any public purpose.

These habits and notions, which I shall call revolutionary because all revolutions produce them, occur in aristocracies just as much as among democratic nations; but among the former they are often less powerful and always less lasting, because there they meet with habits, notions, defects, and impediments that counteract them. They consequently disappear as soon as the revolution is terminated, and the nation reverts to its former political courses. This is not always the case in democratic countries, in which it is ever to be feared that revolutionary tendencies, becoming more gentle and more regular, without entirely disappearing from society, will be gradually transformed into habits of subjection to the administrative authority of the government. I know of no countries in which revolutions are more dangerous than in democratic countries, because, independently of the accidental and transient evils that must always attend them, they may always create some evils that are permanent and unending.

I believe that there are such things as justifiable resistance and legitimate rebellion; I do not therefore assert as an absolute proposition that the men of democratic ages ought never to make revolutions; but I think that they have especial reason to hesitate before they embark on them and that it is far better to endure many grievances in their present condition than to have recourse to so perilous a remedy.

I shall conclude with one general idea, which comprises not only all the particular ideas that have been expressed in the present chapter, but also most of those of which it is the object of this book to treat. In the ages of aristocracy which preceded our own, there were private persons of great power and a social authority of extreme weakness. The outline of society itself was not easily discernible and was constantly confounded with the different powers by which the community was ruled. The principal efforts of the men of those times were required to strengthen, aggrandize, and secure the supreme power; and, on the other hand, to circumscribe individual independence within narrower limits and to subject private interests to the interests of the public. Other perils and other cares await the men of our age. Among the greater part of modern nations the government, whatever may be its origin, its constitution, or its name, has become almost omnipotent, and private persons are falling more and more into the lowest stage of weakness and dependence. In olden society everything was different; unity and uniformity were nowhere to be met with. In modern society everything threatens to become so much alike that the peculiar characteristics of each individual

will soon be entirely lost in the general aspect of the world. Our forefathers were always prone to make an improper use of the notion that private rights ought to be respected; and we are naturally prone, on the other hand, to exaggerate the idea that the interest of a private individual ought always to bend to the interest of the many.

The political world is metamorphosed; new remedies must henceforth be sought for new disorders. To lay down extensive but distinct and settled limits to the action of the government; to confer certain rights on private persons, and to secure to them the undisputed enjoyment of those rights; to enable individual man to maintain whatever independence, strength, and original power he still possesses; to raise him by the side of society at large, and uphold him in that position; these appear to me the main objects of legislators in the ages upon which we are now entering. It would seem as if the rulers of our time sought only to use men in order to make things great; I wish that they would try a little more to make great men; that they would set less value on the work and more upon the workman; that they would never forget that a nation cannot long remain strong when every man belonging to it is individually weak; and that no form or combination of social polity has yet been devised to make an energetic people out of a community of pusillanimous and enfeebled citizens.

I trace among our contemporaries two contrary notions which are equally injurious. One set of men can perceive nothing in the principle of equality but the anarchical tendencies that it engenders; they dread their own free agency, they fear themselves. Other thinkers, less numerous but more enlightened, take a different view: beside that track which starts from the principle of equality to terminate in anarchy, they have at last discovered the road that seems to lead men to inevitable servitude. They shape their souls beforehand to this necessary condition; and, despairing of remaining free, they already do obeisance in their hearts to the master who is soon to appear. The former abandon freedom because they think it dangerous; the latter, because they hold it to be impossible.

If I had entertained the latter conviction, I should not have written this book, but I should have confined myself to deploring in secret the destiny of mankind. I have sought to point out the dangers to which the principle of equality exposes the independence of man, because I firmly believe that these dangers are the most formidable as well as the least foreseen of all those which futurity holds in store, but I do not think that they are insurmountable.

The men who live in the democratic ages upon which we are entering have naturally a taste for independence; they are naturally impatient of regulation, and they are wearied by the permanence even of the condition they themselves prefer. They are fond of power, but they are prone to despise and hate those who wield it, and they easily elude its grasp by their own mobility and insignificance.

they will prevent the establishment of any despotism, and they will furnish fresh weapons to each succeeding generation that struggles in favor of the liberty of mankind. Let us, then, look forward to the future with that salutary fear which makes men keep watch and ward for freedom, not with that faint and idle terror which depresses and enervates the heart.



MONROE DOCTRINE

PRESIDENT JAMES MONROE

**DECEMBER 2, 1823
WASHINGTON, DC**

As the Napoleonic Wars came to a close, American politicians worried that Europeans would revive their imperial ambitions in the Western Hemisphere, particularly in former Spanish colonies.

During the State of the Union Address, President Monroe announced that any European intervention in the Americas would be perceived as a direct threat to the US. While we did not have the military power to enforce this at the time, it would become a staple of US foreign policy.

... At the proposal of the Russian Imperial Government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg to arrange by amicable negotiation the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal has been made by His Imperial Majesty to the Government of Great Britain, which has likewise been acceded to. The Government of the United States has been desirous by this friendly proceeding of manifesting the great value which they have invariably attached to the friendship of the Emperor and their solicitude to cultivate the best understanding with his Government. In the discussions to which this interest has given rise and in the arrangements by which they may terminate the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers. . .

It was stated at the commencement of the last session that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the results have been so far very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-

men on that side of the Atlantic. In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments; and to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintain it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new Governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgement of the competent authorities of this Government, shall make a corresponding change on the part of the United States indispensable to their security.

The late events in Spain and Portugal shew that Europe is still unsettled. Of this important fact no stronger proof can be adduced than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed by force in the internal concerns of Spain. To what extent such interposition may be carried, on the same principle, is a question in which all independent powers whose governments differ from theirs are interested, even those most remote, and surely none of them more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government de facto as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none. But in regard to those continents circumstances are eminently and conspicuously different.

It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference. If we look to the comparative strength and resources of Spain and those new Governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in hope that other powers will pursue the same course. . . .



MANIFEST DESTINY

JOHN L. O'SULLIVAN

**1839
NEW YORK**

The belief that it was the destiny of the United States to control all the land between the Atlantic Ocean and the Pacific Ocean, known as Manifest Destiny, finds its' earliest roots in John O'Sullivan's Democratic Review.

Public support for American expansion played a key role in the Mexican American War.

The American people having derived their origin from many other nations, and the Declaration of National Independence being entirely based on the great principle of human equality, these facts demonstrate at once our disconnected position as regards any other nation; that we have, in reality, but little connection with the past history of any of them, and still less with all antiquity, its glories, or its crimes. On the contrary, our national birth was the beginning of a new history, the formation and progress of an untried political system, which separates us from the past and connects us with the future only; and so far as regards the entire development of the natural rights of man, in moral, political, and national life, we may confidently assume that our country is destined to be the great nation of futurity.

It is so destined, because the principle upon which a nation is organized fixes its destiny, and that of equality is perfect, is universal. It presides in all the operations of the physical world, and it is also the conscious law of the soul — the self-evident dictates of morality, which accurately defines the duty of man to man, and consequently man's rights as man. Besides, the truthful annals of any nation furnish abundant evidence, that its happiness, its greatness, its duration, were always proportionate to the democratic equality in its system of government...

What friend of human liberty, civilization, and refinement, can cast his view over the past history of the monarchies and aristocracies of antiquity, and not deplore that they ever existed? What philanthropist can contemplate the oppressions, the cruelties, and injustice inflicted by them on the masses of mankind, and not turn with moral horror from the retrospect?

America is destined for better deeds. It is our unparalleled glory that we have no reminiscences of battle fields, but in defense of humanity, of the oppressed of all nations, of the rights of conscience, the rights of personal enfranchisement. Our annals describe no scenes of horrid carnage, where men were led on by hundreds of thousands to slay one another, dupes and victims to emperors, kings, nobles, demons in the human form called heroes. We have had patriots to defend our homes, our liberties, but no aspirants to crowns or thrones; nor have the American people ever suffered themselves to be led on by wicked ambition to depopulate the land, to spread desolation far and wide, that a human being might be placed on a seat of supremacy.

We have no interest in the scenes of antiquity, only as lessons of avoidance of nearly all their examples. The expansive future is our arena, and for our history. We are entering on its untrodden space, with the truths of God in our minds, beneficent objects in our hearts, and with a clear conscience unsullied by the past. We are the nation of human progress, and who will, what can, set limits to our onward march? Providence is with us, and no earthly power can. We point to the everlasting truth on the first page of our national declaration, and we proclaim to the millions of other lands, that “the gates of hell” — the powers of aristocracy and monarchy — “shall not prevail against it.”

The far-reaching, the boundless future will be the era of American greatness. In its magnificent domain of space and time, the nation of many nations is destined to manifest to mankind the excellence of divine principles; to establish on earth the noblest temple ever dedicated to the worship of the Most High — the Sacred and the True. Its floor shall be a hemisphere — its roof the firmament of the star-studded heavens, and its congregation an Union of many Republics, comprising hundreds of happy millions, calling, owning no man master, but governed by God’s natural and moral law of equality, the law of brotherhood — of “peace and good will amongst men.”...

Yes, we are the nation of progress, of individual freedom, of universal enfranchisement. Equality of rights is the cynosure of our union of States, the grand exemplar of the correlative equality of individuals; and while truth sheds its effulgence, we cannot retrograde, without dissolving the one and subverting the other. We must onward to the fulfillment of our mission — to the entire development of the principle of our organization — freedom of conscience, freedom of person, freedom of trade and business pursuits, universality of freedom and equality. This is our high destiny, and in nature’s eternal, inevitable decree of cause and effect we must accomplish it. All this will be our future history, to establish on earth the moral dignity and salvation of man — the immutable truth and beneficence of God. For this blessed mission to the nations of the world, which are shut out from the life-giving light of truth, has America been chosen; and her high example shall smite unto death the tyranny of kings, hierarchs, and oligarchs, and carry the glad tidings of peace and good will where myriads now endure an existence scarcely more enviable than that of beasts of the field. Who, then, can doubt that our country is destined to be *the great nation* of futurity?



LETTER TO JOHN HOLMES

APRIL 22, 1820

I thank you, dear Sir, for the copy you have been so kind as to send me of the letter to your constituents on the Missouri question. It is a perfect justification to them. I had for a long time ceased to read newspapers, or pay any attention to public affairs, confident they were in good hands, and content to be a passenger in our bark to the shore from which I am not distant. But this momentous question, like a fire bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper. I can say, with conscious truth, that there is not a man on earth who would sacrifice more than I would to relieve us from this heavy reproach, in any practicable way. The cession of that kind of property, for so it is misnamed, is a bagatelle which would not cost me a second thought, if, in that way, a general emancipation and expatriation could be effected; and, gradually, and with due sacrifices, I think it might be. But as it is, we have the wolf by the ears, and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation in the other. Of one thing I am certain, that as the passage of slaves from one State to another, would not make a slave of a single human being who would not be so without it, so their diffusion over a greater surface would make them individually happier, and proportionally facilitate the accomplishment of their emancipation, by dividing the burthen on a greater number of coadjutors. An abstinence too, from this act of power, would remove the jealousy excited by the undertaking of Congress to regulate the condition of the different descriptions of men composing a State. This certainly is the exclusive right of every State, which nothing in the constitution has taken from them and given to the General Government. Could Congress, for example, say, that the non-freemen of Connecticut shall be freemen, or that they shall not emigrate into any other State?

I regret that I am now to die in the belief, that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I live not to weep over it. If they would but dispassionately weigh the blessings they will throw away, against an abstract principle more likely to be effected by union than by scission, they would pause before they would perpetrate this act of suicide on themselves, and of treason against the hopes of the world. To yourself, as the faithful advocate of the Union, I tender the offering of my high esteem and respect.

Thomas Jefferson
162



COOPER UNION ADDRESS

ABRAHAM LINCOLN

**NEW YORK
FEBRUARY 27, 1860**

Mr. President and fellow citizens of New York:

The facts with which I shall deal this evening are mainly old and familiar; nor is there anything new in the general use I shall make of them. If there shall be any novelty, it will be in the mode of presenting the facts, and the inferences and observations following that presentation.

In his speech last autumn, at Columbus, Ohio, as reported in "The New-York Times," Senator Douglas said:

"Our fathers, when they framed the Government under which we live, understood this question just as well, and even better, than we do now."

I fully indorse this, and I adopt it as a text for this discourse. I so adopt it because it furnishes a precise and an agreed starting point for a discussion between Republicans and that wing of the Democracy headed by Senator Douglas. It simply leaves the inquiry: "What was the understanding those fathers had of the question mentioned?"

What is the frame of government under which we live?

The answer must be: "The Constitution of the United States." That Constitution consists of the original, framed in 1787, (and under which the present government first went into operation,) and twelve subsequently framed amendments, the first ten of which were framed in 1789.

Who were our fathers that framed the Constitution? I suppose the "thirty-nine" who signed the original instrument may be fairly called our fathers who framed that part of the present Government. It is almost exactly true to say they framed it, and it is altogether true to say they fairly represented the opinion and sentiment of the whole nation at that time. Their names, being familiar to nearly all, and accessible to quite all, need not now be repeated.

I take these "thirty-nine," for the present, as being "our fathers who framed the Government under which we live."

What is the question which, according to the text, those fathers understood "just as well, and even better than we do now?"

It is this: Does the proper division of local from federal authority, or anything in the Constitution, forbid our Federal Government to control as to slavery in our Federal Territories?

Upon this, Senator Douglas holds the affirmative, and Republicans the negative. This affirmation and denial form an issue; and this issue - this question - is precisely what the text declares our fathers understood "better than we."

Let us now inquire whether the "thirty-nine," or any of them, ever acted upon this question; and if they did, how they acted upon it - how they expressed that better understanding?

In 1784, three years before the Constitution - the United States then owning the Northwestern Territory, and no other, the Congress of the Confederation had before them the question of prohibiting slavery in that Territory; and four of the "thirty-nine" who afterward framed the Constitution, were in that Congress, and voted on that question. Of these, Roger Sherman, Thomas Mifflin, and Hugh Williamson voted for the prohibition, thus showing that, in their understanding, no line dividing local from federal authority, nor anything else, properly forbade the Federal Government to control as to slavery in federal territory. The other of the four - James M'Henry - voted against the prohibition, showing that, for some cause, he thought it improper to vote for it.

In 1787, still before the Constitution, but while the Convention was in session framing it, and while the Northwestern Territory still was the only territory owned by the United States, the same question of prohibiting slavery in the territory again came before the Congress of the Confederation; and two more of the "thirty-nine" who afterward signed the Constitution, were in that Congress, and voted on the question. They were William Blount and William Few; and they both voted for the prohibition - thus showing that, in their understanding, no line dividing local from federal authority, nor anything else, properly forbids the Federal Government to control as to slavery in Federal territory. This time the prohibition became a law, being part of what is now well known as the Ordinance of '87.

The question of federal control of slavery in the territories, seems not to have been directly before the Convention which framed the original Constitution; and hence it is not recorded that the "thirty-nine," or any of them, while engaged on that instrument, expressed any opinion on that precise question.

In 1789, by the first Congress which sat under the Constitution, an act was passed to enforce the Ordinance of '87, including the prohibition of slavery in the Northwestern Territory. The bill for this act was reported by one of the "thirty-nine," Thomas Fitzsimmons, then a member of the House of Representatives from Pennsylvania. It went through all its stages without a word of opposition, and finally passed both branches without yeas and nays, which is equivalent to a unanimous passage. In this Congress there were sixteen of the thirty-nine fathers who framed the original Constitution. They were John Langdon, Nicholas Gilman, Wm. S. Johnson, Roger Sherman, Robert Morris, Thos. Fitzsimmons, William Few, Abraham Baldwin, Rufus King, William Paterson, George Clymer, Richard Bassett, George Read, Pierce Butler, Daniel Carroll, James Madison.

This shows that, in their understanding, no line dividing local from federal authority, nor anything in the Constitution, properly forbade Congress to prohibit slavery in the federal territory; else both their fidelity to correct principle, and their oath to support the Constitution, would have constrained them to oppose the prohibition.

Again, George Washington, another of the "thirty-nine," was then President of the United States, and, as such approved and signed the bill; thus completing its validity as a law, and thus showing that, in his understanding, no line dividing local from federal authority, nor anything in the Constitution, forbade the Federal Government, to control as to slavery in federal territory.

No great while after the adoption of the original Constitution, North Carolina ceded to the Federal Government the country now constituting the State of Tennessee; and a few years later Georgia ceded that which now constitutes the States of Mississippi and Alabama. In both deeds of cession it was made a condition by the ceding States that the Federal Government should not prohibit slavery in the ceded territory. Besides this, slavery was then actually in the ceded country. Under these circumstances, Congress, on taking charge of these countries, did not absolutely prohibit slavery within them. But they did interfere with it - take control of it - even there, to a certain extent. In 1798, Congress organized the Territory of Mississippi. In the act of organization, they prohibited the bringing of slaves into the Territory, from any place without the United States, by fine, and giving freedom to slaves so bought. This act passed both branches of Congress without yeas and nays. In that Congress were three of the "thirty-nine" who framed the original Constitution. They were John Langdon, George Read and Abraham Baldwin. They all, probably, voted for it. Certainly they would have placed their opposition to it upon record, if, in their understanding, any line dividing local from federal authority, or anything in the Constitution, properly forbade the Federal Government to control as to slavery in federal territory.

In 1803, the Federal Government purchased the Louisiana country. Our former territorial acquisitions came from certain of our own States; but this Louisiana country was acquired from a foreign nation. In 1804, Congress gave a territorial organization to that part of it which now constitutes the State of Louisiana. New Orleans, lying within that part, was an old and comparatively large city. There were other considerable towns and settlements, and slavery was extensively and thoroughly intermingled with the people. Congress did not, in the Territorial Act, prohibit slavery; but they did interfere with it - take control of it - in a more marked and extensive way than they did in the case of Mississippi. The substance of the provision therein made, in relation to slaves, was:

First. That no slave should be imported into the territory from foreign parts.

Second. That no slave should be carried into it who had been imported into the United States since the first day of May, 1798.

Third. That no slave should be carried into it, except by the owner, and for his own use as a settler; the penalty in all the cases being a fine upon the violator of the law, and freedom to the slave.

This act also was passed without yeas and nays. In the Congress which passed it, there were two of the "thirty-nine." They were Abraham Baldwin and Jonathan Dayton. As stated in the case of Mississippi, it is probable they both voted for it. They would not have allowed it to pass without recording their opposition to it, if, in their understanding, it violated either the line properly dividing local from federal authority, or any provision of the Constitution.

In 1819-20, came and passed the Missouri question. Many votes were taken, by yeas and nays, in both branches of Congress, upon the various phases of the general question. Two of the "thirty-nine" - Rufus King and Charles Pinckney - were members of that Congress. Mr. King steadily voted for slavery prohibition and against all compromises, while Mr. Pinckney as steadily voted against slavery prohibition and against all compromises. By this, Mr. King showed that, in his understanding, no line dividing local from federal authority, nor anything in the Constitution, was violated by Congress prohibiting slavery in federal

territory; while Mr. Pinckney, by his votes, showed that, in his understanding, there was some sufficient reason for opposing such prohibition in that case.

The cases I have mentioned are the only acts of the "thirty-nine," or of any of them, upon the direct issue, which I have been able to discover.

To enumerate the persons who thus acted, as being four in 1784, two in 1787, seventeen in 1789, three in 1798, two in 1804, and two in 1819-20 - there would be thirty of them. But this would be counting John Langdon, Roger Sherman, William Few, Rufus King, and George Read each twice, and Abraham Baldwin, three times. The true number of those of the "thirty-nine" whom I have shown to have acted upon the question, which, by the text, they understood better than we, is twenty-three, leaving sixteen not shown to have acted upon it in any way.

Here, then, we have twenty-three out of our thirty-nine fathers "who framed the government under which we live," who have, upon their official responsibility and their corporal oaths, acted upon the very question which the text affirms they "understood just as well, and even better than we do now;" and twenty-one of them - a clear majority of the whole "thirty-nine" - so acting upon it as to make them guilty of gross political impropriety and willful perjury, if, in their understanding, any proper division between local and federal authority, or anything in the Constitution they had made themselves, and sworn to support, forbade the Federal Government to control as to slavery in the federal territories. Thus the twenty-one acted; and, as actions speak louder than words, so actions, under such responsibility, speak still louder.

Two of the twenty-three voted against Congressional prohibition of slavery in the federal territories, in the instances in which they acted upon the question. But for what reasons they so voted is not known. They may have done so because they thought a proper division of local from federal authority, or some provision or principle of the Constitution, stood in the way; or they may, without any such question, have voted against the prohibition, on what appeared to them to be sufficient grounds of expediency. No one who has sworn to support the Constitution can conscientiously vote for what he understands to be an unconstitutional measure, however expedient he may think it; but one may and ought to vote against a measure which he deems constitutional, if, at the same time, he deems it inexpedient. It, therefore, would be unsafe to set down even the two who voted against the prohibition, as having done so because, in their understanding, any proper division of local from federal authority, or anything in the Constitution, forbade the Federal Government to control as to slavery in federal territory.

The remaining sixteen of the "thirty-nine," so far as I have discovered, have left no record of their understanding upon the direct question of federal control of slavery in the federal territories. But there is much reason to believe that their understanding upon that question would not have appeared different from that of their twenty-three compeers, had it been manifested at all.

For the purpose of adhering rigidly to the text, I have purposely omitted whatever understanding may have been manifested by any person, however distinguished, other than the thirty-nine fathers who framed the original Constitution; and, for the same reason, I have also omitted whatever understanding may have been manifested by any of the "thirty-nine" even, on any other phase of the general question of slavery. If we should look into their acts and declarations on those other phases, as the foreign slave trade, and the morality and policy of slavery generally, it would appear to us that on the direct question of federal control of slavery in federal territories, the sixteen, if they had acted at all, would probably have acted just as the twenty-three did. Among that sixteen were several of the most noted anti-slavery men of those times - as Dr. Franklin, Alexander Hamilton and Gouverneur Morris - while there was not one now known to have been otherwise, unless it may be John Rutledge, of South Carolina.

The sum of the whole is, that of our thirty-nine fathers who framed the original Constitution, twenty-one - a clear majority of the whole - certainly understood that no proper division of local from federal authority, nor any part of the Constitution, for-

bade the Federal Government to control slavery in the federal territories; while all the rest probably had the same understanding. Such, unquestionably, was the understanding of our fathers who framed the original Constitution; and the text affirms that they understood the question "better than we."

But, so far, I have been considering the understanding of the question manifested by the framers of the original Constitution. In and by the original instrument, a mode was provided for amending it; and, as I have already stated, the present frame of "the Government under which we live" consists of that original, and twelve amendatory articles framed and adopted since. Those who now insist that federal control of slavery in federal territories violates the Constitution, point us to the provisions which they suppose it thus violates; and, as I understand, that all fix upon provisions in these amendatory articles, and not in the original instrument. The Supreme Court, in the Dred Scott case, plant themselves upon the fifth amendment, which provides that no person shall be deprived of "life, liberty or property without due process of law;" while Senator Douglas and his peculiar adherents plant themselves upon the tenth amendment, providing that "the powers not delegated to the United States by the Constitution" "are reserved to the States respectively, or to the people."

Now, it so happens that these amendments were framed by the first Congress which sat under the Constitution - the identical Congress which passed the act already mentioned, enforcing the prohibition of slavery in the Northwestern Territory. Not only was it the same Congress, but they were the identical, same individual men who, at the same session, and at the same time within the session, had under consideration, and in progress toward maturity, these Constitutional amendments, and this act prohibiting slavery in all the territory the nation then owned. The Constitutional amendments were introduced before, and passed after the act enforcing the Ordinance of '87; so that, during the whole pendency of the act to enforce the Ordinance, the Constitutional amendments were also pending.

The seventy-six members of that Congress, including sixteen of the framers of the original Constitution, as before stated, were pre-eminently our fathers who framed that part of "the Government under which we live," which is now claimed as forbidding the Federal Government to control slavery in the federal territories.

Is it not a little presumptuous in any one at this day to affirm that the two things which that Congress deliberately framed, and carried to maturity at the same time, are absolutely inconsistent with each other? And does not such affirmation become impudently absurd when coupled with the other affirmation from the same mouth, that those who did the two things, alleged to be inconsistent, understood whether they really were inconsistent better than we - better than he who affirms that they are inconsistent?

It is surely safe to assume that the thirty-nine framers of the original Constitution, and the seventy-six members of the Congress which framed the amendments thereto, taken together, do certainly include those who may be fairly called "our fathers who framed the Government under which we live." And so assuming, I defy any man to show that any one of them ever, in his whole life, declared that, in his understanding, any proper division of local from federal authority, or any part of the Constitution, forbade the Federal Government to control as to slavery in the federal territories. I go a step further. I defy any one to show that any living man in the whole world ever did, prior to the beginning of the present century, (and I might almost say prior to the beginning of the last half of the present century,) declare that, in his understanding, any proper division of local from federal authority, or any part of the Constitution, forbade the Federal Government to control as to slavery in the federal territories. To those who now so declare, I give, not only "our fathers who framed the Government under which we live," but with them all other living men within the century in which it was framed, among whom to search, and they shall not be able to find the evidence of a single man agreeing with them.

Now, and here, let me guard a little against being misunderstood. I do not mean to say we are bound to follow implicitly in whatever our fathers did. To do so, would be to discard all the lights of current experience - to reject all progress - all improve-

ment. What I do say is, that if we would supplant the opinions and policy of our fathers in any case, we should do so upon evidence so conclusive, and argument so clear, that even their great authority, fairly considered and weighed, cannot stand; and most surely not in a case whereof we ourselves declare they understood the question better than we.

If any man at this day sincerely believes that a proper division of local from federal authority, or any part of the Constitution, forbids the Federal Government to control as to slavery in the federal territories, he is right to say so, and to enforce his position by all truthful evidence and fair argument which he can. But he has no right to mislead others, who have less access to history, and less leisure to study it, into the false belief that "our fathers who framed the Government under which we live" were of the same opinion - thus substituting falsehood and deception for truthful evidence and fair argument. If any man at this day sincerely believes "our fathers who framed the Government under which we live," used and applied principles, in other cases, which ought to have led them to understand that a proper division of local from federal authority or some part of the Constitution, forbids the Federal Government to control as to slavery in the federal territories, he is right to say so. But he should, at the same time, brave the responsibility of declaring that, in his opinion, he understands their principles better than they did themselves; and especially should he not shirk that responsibility by asserting that they "understood the question just as well, and even better, than we do now."

But enough! Let all who believe that "our fathers, who framed the Government under which we live, understood this question just as well, and even better, than we do now," speak as they spoke, and act as they acted upon it. This is all Republicans ask - all Republicans desire - in relation to slavery. As those fathers marked it, so let it be again marked, as an evil not to be extended, but to be tolerated and protected only because of and so far as its actual presence among us makes that toleration and protection a necessity. Let all the guarantees those fathers gave it, be, not grudgingly, but fully and fairly, maintained. For this Republicans contend, and with this, so far as I know or believe, they will be content.

And now, if they would listen - as I suppose they will not - I would address a few words to the Southern people.

I would say to them: - You consider yourselves a reasonable and a just people; and I consider that in the general qualities of reason and justice you are not inferior to any other people. Still, when you speak of us Republicans, you do so only to denounce us a reptiles, or, at the best, as no better than outlaws. You will grant a hearing to pirates or murderers, but nothing like it to "Black Republicans." In all your contentions with one another, each of you deems an unconditional condemnation of "Black Republicanism" as the first thing to be attended to. Indeed, such condemnation of us seems to be an indispensable prerequisite - license, so to speak - among you to be admitted or permitted to speak at all. Now, can you, or not, be prevailed upon to pause and to consider whether this is quite just to us, or even to yourselves? Bring forward your charges and specifications, and then be patient long enough to hear us deny or justify.

You say we are sectional. We deny it. That makes an issue; and the burden of proof is upon you. You produce your proof; and what is it? Why, that our party has no existence in your section - gets no votes in your section. The fact is substantially true; but does it prove the issue? If it does, then in case we should, without change of principle, begin to get votes in your section, we should thereby cease to be sectional. You cannot escape this conclusion; and yet, are you willing to abide by it? If you are, you will probably soon find that we have ceased to be sectional, for we shall get votes in your section this very year. You will then begin to discover, as the truth plainly is, that your proof does not touch the issue. The fact that we get no votes in your section, is a fact of your making, and not of ours. And if there be fault in that fact, that fault is primarily yours, and remains until you show that we repel you by some wrong principle or practice. If we do repel you by any wrong principle or practice, the fault is ours; but this brings you to where you ought to have started - to a discussion of the right or wrong of our principle. If our principle, put in practice, would wrong your section for the benefit of ours, or for any other object, then our principle, and we with it, are sectional, and are justly opposed and denounced as such. Meet us, then, on the question of whether our principle, put in practice, would wrong your section; and so meet it as if it were possible that something may be said on our side. Do you accept

the challenge? No! Then you really believe that the principle which "our fathers who framed the Government under which we live" thought so clearly right as to adopt it, and indorse it again and again, upon their official oaths, is in fact so clearly wrong as to demand your condemnation without a moment's consideration.

Some of you delight to flaunt in our faces the warning against sectional parties given by Washington in his Farewell Address. Less than eight years before Washington gave that warning, he had, as President of the United States, approved and signed an act of Congress, enforcing the prohibition of slavery in the Northwestern Territory, which act embodied the policy of the Government upon that subject up to and at the very moment he penned that warning; and about one year after he penned it, he wrote LaFayette that he considered that prohibition a wise measure, expressing in the same connection his hope that we should at some time have a confederacy of free States.

Bearing this in mind, and seeing that sectionalism has since arisen upon this same subject, is that warning a weapon in your hands against us, or in our hands against you? Could Washington himself speak, would he cast the blame of that sectionalism upon us, who sustain his policy, or upon you who repudiate it? We respect that warning of Washington, and we commend it to you, together with his example pointing to the right application of it.

But you say you are conservative - eminently conservative - while we are revolutionary, destructive, or something of the sort. What is conservatism? Is it not adherence to the old and tried, against the new and untried? We stick to, contend for, the identical old policy on the point in controversy which was adopted by "our fathers who framed the Government under which we live;" while you with one accord reject, and scout, and spit upon that old policy, and insist upon substituting something new. True, you disagree among yourselves as to what that substitute shall be. You are divided on new propositions and plans, but you are unanimous in rejecting and denouncing the old policy of the fathers. Some of you are for reviving the foreign slave trade; some for a Congressional Slave-Code for the Territories; some for Congress forbidding the Territories to prohibit Slavery within their limits; some for maintaining Slavery in the Territories through the judiciary; some for the "gureat principle" that "if one man would enslave another, no third man should object," fantastically called "Popular Sovereignty;" but never a man among you is in favor of federal prohibition of slavery in federal territories, according to the practice of "our fathers who framed the Government under which we live." Not one of all your various plans can show a precedent or an advocate in the century within which our Government originated. Consider, then, whether your claim of conservatism for yourselves, and your charge or destructiveness against us, are based on the most clear and stable foundations.

Again, you say we have made the slavery question more prominent than it formerly was. We deny it. We admit that it is more prominent, but we deny that we made it so. It was not we, but you, who discarded the old policy of the fathers. We resisted, and still resist, your innovation; and thence comes the greater prominence of the question. Would you have that question reduced to its former proportions? Go back to that old policy. What has been will be again, under the same conditions. If you would have the peace of the old times, readopt the precepts and policy of the old times.

You charge that we stir up insurrections among your slaves. We deny it; and what is your proof? Harper's Ferry! John Brown!! John Brown was no Republican; and you have failed to implicate a single Republican in his Harper's Ferry enterprise. If any member of our party is guilty in that matter, you know it or you do not know it. If you do know it, you are inexcusable for not designating the man and proving the fact. If you do not know it, you are inexcusable for asserting it, and especially for persisting in the assertion after you have tried and failed to make the proof. You need to be told that persisting in a charge which one does not know to be true, is simply malicious slander.

Some of you admit that no Republican designedly aided or encouraged the Harper's Ferry affair, but still insist that our doctrines and declarations necessarily lead to such results. We do not believe it. We know we hold to no doctrine, and make no declaration, which were not held to and made by "our fathers who framed the Government under which we live." You never dealt

fairly by us in relation to this affair. When it occurred, some important State elections were near at hand, and you were in evident glee with the belief that, by charging the blame upon us, you could get an advantage of us in those elections. The elections came, and your expectations were not quite fulfilled. Every Republican man knew that, as to himself at least, your charge was a slander, and he was not much inclined by it to cast his vote in your favor. Republican doctrines and declarations are accompanied with a continual protest against any interference whatever with your slaves, or with you about your slaves. Surely, this does not encourage them to revolt. True, we do, in common with "our fathers, who framed the Government under which we live," declare our belief that slavery is wrong; but the slaves do not hear us declare even this. For anything we say or do, the slaves would scarcely know there is a Republican party. I believe they would not, in fact, generally know it but for your misrepresentations of us, in their hearing. In your political contests among yourselves, each faction charges the other with sympathy with Black Republicanism; and then, to give point to the charge, defines Black Republicanism to simply be insurrection, blood and thunder among the slaves.

Slave insurrections are no more common now than they were before the Republican party was organized. What induced the Southampton insurrection, twenty-eight years ago, in which, at least three times as many lives were lost as at Harper's Ferry? You can scarcely stretch your very elastic fancy to the conclusion that Southampton was "got up by Black Republicanism." In the present state of things in the United States, I do not think a general, or even a very extensive slave insurrection is possible. The indispensable concert of action cannot be attained. The slaves have no means of rapid communication; nor can incendiary free-men, black or white, supply it. The explosive materials are everywhere in parcels; but there neither are, nor can be supplied, the indispensable connecting trains.

Much is said by Southern people about the affection of slaves for their masters and mistresses; and a part of it, at least, is true. A plot for an uprising could scarcely be devised and communicated to twenty individuals before some one of them, to save the life of a favorite master or mistress, would divulge it. This is the rule; and the slave revolution in Hayti was not an exception to it, but a case occurring under peculiar circumstances. The gunpowder plot of British history, though not connected with slaves, was more in point. In that case, only about twenty were admitted to the secret; and yet one of them, in his anxiety to save a friend, betrayed the plot to that friend, and, by consequence, averted the calamity. Occasional poisonings from the kitchen, and open or stealthy assassinations in the field, and local revolts extending to a score or so, will continue to occur as the natural results of slavery; but no general insurrection of slaves, as I think, can happen in this country for a long time. Whoever much fears, or much hopes for such an event, will be alike disappointed.

In the language of Mr. Jefferson, uttered many years ago, "It is still in our power to direct the process of emancipation, and deportation, peaceably, and in such slow degrees, as that the evil will wear off insensibly; and their places be, *pari passu*, filled up by free white laborers. If, on the contrary, it is left to force itself on, human nature must shudder at the prospect held up."

Mr. Jefferson did not mean to say, nor do I, that the power of emancipation is in the Federal Government. He spoke of Virginia; and, as to the power of emancipation, I speak of the slaveholding States only. The Federal Government, however, as we insist, has the power of restraining the extension of the institution - the power to insure that a slave insurrection shall never occur on any American soil which is now free from slavery.

John Brown's effort was peculiar. It was not a slave insurrection. It was an attempt by white men to get up a revolt among slaves, in which the slaves refused to participate. In fact, it was so absurd that the slaves, with all their ignorance, saw plainly enough it could not succeed. That affair, in its philosophy, corresponds with the many attempts, related in history, at the assassination of kings and emperors. An enthusiast broods over the oppression of a people till he fancies himself commissioned by Heaven to liberate them. He ventures the attempt, which ends in little else than his own execution. Orsini's attempt on Louis Napoleon, and John Brown's attempt at Harper's Ferry were, in their philosophy, precisely the same. The eagerness to cast blame on old England in the one case, and on New England in the other, does not disprove the sameness of the two things.

And how much would it avail you, if you could, by the use of John Brown, Helper's Book, and the like, break up the Republican organization? Human action can be modified to some extent, but human nature cannot be changed. There is a judgment and a feeling against slavery in this nation, which cast at least a million and a half of votes. You cannot destroy that judgment and feeling - that sentiment - by breaking up the political organization which rallies around it. You can scarcely scatter and disperse an army which has been formed into order in the face of your heaviest fire; but if you could, how much would you gain by forcing the sentiment which created it out of the peaceful channel of the ballot-box, into some other channel? What would that other channel probably be? Would the number of John Browns be lessened or enlarged by the operation?

But you will break up the Union rather than submit to a denial of your Constitutional rights.

That has a somewhat reckless sound; but it would be palliated, if not fully justified, were we proposing, by the mere force of numbers, to deprive you of some right, plainly written down in the Constitution. But we are proposing no such thing.

When you make these declarations, you have a specific and well-understood allusion to an assumed Constitutional right of yours, to take slaves into the federal territories, and to hold them there as property. But no such right is specifically written in the Constitution. That instrument is literally silent about any such right. We, on the contrary, deny that such a right has any existence in the Constitution, even by implication.

Your purpose, then, plainly stated, is that you will destroy the Government, unless you be allowed to construe and enforce the Constitution as you please, on all points in dispute between you and us. You will rule or ruin in all events.

This, plainly stated, is your language. Perhaps you will say the Supreme Court has decided the disputed Constitutional question in your favor. Not quite so. But waiving the lawyer's distinction between dictum and decision, the Court have decided the question for you in a sort of way. The Court have substantially said, it is your Constitutional right to take slaves into the federal territories, and to hold them there as property. When I say the decision was made in a sort of way, I mean it was made in a divided Court, by a bare majority of the Judges, and they not quite agreeing with one another in the reasons for making it; that it is so made as that its avowed supporters disagree with one another about its meaning, and that it was mainly based upon a mistaken statement of fact - the statement in the opinion that "the right of property in a slave is distinctly and expressly affirmed in the Constitution."

An inspection of the Constitution will show that the right of property in a slave is not "distinctly and expressly affirmed" in it. Bear in mind, the Judges do not pledge their judicial opinion that such right is impliedly affirmed in the Constitution; but they pledge their veracity that it is "distinctly and expressly" affirmed there - "distinctly," that is, not mingled with anything else - "expressly," that is, in words meaning just that, without the aid of any inference, and susceptible of no other meaning.

If they had only pledged their judicial opinion that such right is affirmed in the instrument by implication, it would be open to others to show that neither the word "slave" nor "slavery" is to be found in the Constitution, nor the word "property" even, in any connection with language alluding to the things slave, or slavery; and that wherever in that instrument the slave is alluded to, he is called a "person;" - and wherever his master's legal right in relation to him is alluded to, it is spoken of as "service or labor which may be due," - as a debt payable in service or labor. Also, it would be open to show, by contemporaneous history, that this mode of alluding to slaves and slavery, instead of speaking of them, was employed on purpose to exclude from the Constitution the idea that there could be property in man.

To show all this, is easy and certain.

When this obvious mistake of the Judges shall be brought to their notice, is it not reasonable to expect that they will withdraw the mistaken statement, and reconsider the conclusion based upon it?

And then it is to be remembered that "our fathers, who framed the Government under which we live" - the men who made the Constitution - decided this same Constitutional question in our favor, long ago - decided it without division among themselves, when making the decision; without division among themselves about the meaning of it after it was made, and, so far as any evidence is left, without basing it upon any mistaken statement of facts.

Under all these circumstances, do you really feel yourselves justified to break up this Government unless such a court decision as yours is, shall be at once submitted to as a conclusive and final rule of political action? But you will not abide the election of a Republican president! In that supposed event, you say, you will destroy the Union; and then, you say, the great crime of having destroyed it will be upon us! That is cool. A highwayman holds a pistol to my ear, and mutters through his teeth, "Stand and deliver, or I shall kill you, and then you will be a murderer!"

To be sure, what the robber demanded of me - my money - was my own; and I had a clear right to keep it; but it was no more my own than my vote is my own; and the threat of death to me, to extort my money, and the threat of destruction to the Union, to extort my vote, can scarcely be distinguished in principle.

A few words now to Republicans. It is exceedingly desirable that all parts of this great Confederacy shall be at peace, and in harmony, one with another. Let us Republicans do our part to have it so. Even though much provoked, let us do nothing through passion and ill temper. Even though the southern people will not so much as listen to us, let us calmly consider their demands, and yield to them if, in our deliberate view of our duty, we possibly can. Judging by all they say and do, and by the subject and nature of their controversy with us, let us determine, if we can, what will satisfy them.

Will they be satisfied if the Territories be unconditionally surrendered to them? We know they will not. In all their present complaints against us, the Territories are scarcely mentioned. Invasions and insurrections are the rage now. Will it satisfy them, if, in the future, we have nothing to do with invasions and insurrections? We know it will not. We so know, because we know we never had anything to do with invasions and insurrections; and yet this total abstaining does not exempt us from the charge and the denunciation.

The question recurs, what will satisfy them? Simply this: We must not only let them alone, but we must somehow, convince them that we do let them alone. This, we know by experience, is no easy task. We have been so trying to convince them from the very beginning of our organization, but with no success. In all our platforms and speeches we have constantly protested our purpose to let them alone; but this has had no tendency to convince them. Alike unavailing to convince them, is the fact that they have never detected a man of us in any attempt to disturb them.

These natural, and apparently adequate means all failing, what will convince them? This, and this only: cease to call slavery wrong, and join them in calling it right. And this must be done thoroughly - done in acts as well as in words. Silence will not be tolerated - we must place ourselves avowedly with them. Senator Douglas' new sedition law must be enacted and enforced, suppressing all declarations that slavery is wrong, whether made in politics, in presses, in pulpits, or in private. We must arrest and return their fugitive slaves with greedy pleasure. We must pull down our Free State constitutions. The whole atmosphere must be disinfected from all taint of opposition to slavery, before they will cease to believe that all their troubles proceed from us.

I am quite aware they do not state their case precisely in this way. Most of them would probably say to us, "Let us alone, do nothing to us, and say what you please about slavery." But we do let them alone - have never disturbed them - so that, after all, it is what we say, which dissatisfies them. They will continue to accuse us of doing, until we cease saying.

I am also aware they have not, as yet, in terms, demanded the overthrow of our Free-State Constitutions. Yet those Constitutions declare the wrong of slavery, with more solemn emphasis, than do all other sayings against it; and when all these other sayings shall have been silenced, the overthrow of these Constitutions will be demanded, and nothing be left to resist the demand. It is nothing to the contrary, that they do not demand the whole of this just now. Demanding what they do, and for the reason they do, they can voluntarily stop nowhere short of this consummation. Holding, as they do, that slavery is morally right, and socially elevating, they cannot cease to demand a full national recognition of it, as a legal right, and a social blessing.

Nor can we justifiably withhold this, on any ground save our conviction that slavery is wrong. If slavery is right, all words, acts, laws, and constitutions against it, are themselves wrong, and should be silenced, and swept away. If it is right, we cannot justly object to its nationality - its universality; if it is wrong, they cannot justly insist upon its extension - its enlargement. All they ask, we could readily grant, if we thought slavery right; all we ask, they could as readily grant, if they thought it wrong. Their thinking it right, and our thinking it wrong, is the precise fact upon which depends the whole controversy. Thinking it right, as they do, they are not to blame for desiring its full recognition, as being right; but, thinking it wrong, as we do, can we yield to them? Can we cast our votes with their view, and against our own? In view of our moral, social, and political responsibilities, can we do this?

Wrong as we think slavery is, we can yet afford to let it alone where it is, because that much is due to the necessity arising from its actual presence in the nation; but can we, while our votes will prevent it, allow it to spread into the National Territories, and to overrun us here in these Free States? If our sense of duty forbids this, then let us stand by our duty, fearlessly and effectively. Let us be diverted by none of those sophistical contrivances wherewith we are so industriously plied and belabored - contrivances such as groping for some middle ground between the right and the wrong, vain as the search for a man who should be neither a living man nor a dead man - such as a policy of "don't care" on a question about which all true men do care - such as Union appeals beseeching true Union men to yield to Disunionists, reversing the divine rule, and calling, not the sinners, but the righteous to repentance - such as invocations to Washington, imploring men to unsay what Washington said, and undo what Washington did.

Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. LET US HAVE FAITH THAT RIGHT MAKES MIGHT, AND IN THAT FAITH, LET US, TO THE END, DARE TO DO OUR DUTY AS WE UNDERSTAND IT.



INAUGURAL ADDRESS

**PRESIDENT
ABRAHAM LINCOLN**

**MARCH 4, 1861
WASHINGTON DC**

Fellow-Citizens of the United States:

IN compliance with a custom as old as the Government itself, I appear before you to address you briefly and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President "before he enters on the execution of this office."

I do not consider it necessary at present for me to discuss those matters of administration about which there is no special anxiety or excitement.

Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that—

I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.

Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations and had never recanted them; and more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

Resolved, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter what pretext, as among the gravest of crimes.

I now reiterate these sentiments, and in doing so I only press upon the public attention the most conclusive evidence of which the case is susceptible that the property, peace, and security of no section are to be in any wise endangered by the now incoming Administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given will be cheerfully given to all the States when lawfully demanded, for whatever cause—as cheerfully to one section as to another.

There is much controversy about the delivering up of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions:

No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

It is scarcely questioned that this provision was intended by those who made it for the reclaiming of what we call fugitive slaves; and the intention of the lawgiver is the law. All members of Congress swear their support to the whole Constitution—to this provision as much as to any other. To the proposition, then, that slaves whose cases come within the terms of this clause "shall be delivered up" their oaths are unanimous. Now, if they would make the effort in good temper, could they not with nearly equal unanimity frame and pass a law by means of which to keep good that unanimous oath?

There is some difference of opinion whether this clause should be enforced by national or by State authority, but surely that difference is not a very material one. If the slave is to be surrendered, it can be of but little consequence to him or to others by which authority it is done. And should anyone in any case be content that his oath shall go unkept on a merely unsubstantial controversy as to how it shall be kept?

Again: In any law upon this subject ought not all the safeguards of liberty known in civilized and humane jurisprudence to be introduced, so that a free man be not in any case surrendered as a slave? And might it not be well at the same time to provide by law for the enforcement of that clause in the Constitution which guarantees that "the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States"?

I take the official oath to-day with no mental reservations and with no purpose to construe the Constitution or laws by any hypercritical rules; and while I do not choose now to specify particular acts of Congress as proper to be enforced, I do suggest that it will be much safer for all, both in official and private stations, to conform to and abide by all those acts which stand unrepealed than to violate any of them trusting to find impunity in having them held to be unconstitutional.

It is seventy-two years since the first inauguration of a President under our National Constitution. During that period fifteen different and greatly distinguished citizens have in succession administered the executive branch of the Government. They have conducted it through many perils, and generally with great success. Yet, with all this scope of precedent, I now enter upon the same task for the brief constitutional term of four years under great and peculiar difficulty. A disruption of the Federal Union, heretofore only menaced, is now formidably attempted.

I hold that in contemplation of universal law and of the Constitution the Union of these States is perpetual. Perpetuity is implied, if not expressed, in the fundamental law of all national governments. It is safe to assert that no government proper ever had a provision in its organic law for its own termination. Continue to execute all the express provisions of our National Constitution, and the Union will endure forever, it being impossible to destroy it except by some action not provided for in the instrument itself.

Again: If the United States be not a government proper, but an association of States in the nature of contract merely, can it, as a contract, be peaceably unmade by less than all the parties who made it? One party to a contract may violate it—break it, so to speak—but does it not require all to lawfully rescind it?

Descending from these general principles, we find the proposition that in legal contemplation the Union is perpetual confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774. It was matured and continued by the Declaration of Independence in 1776. It was further matured, and the faith of all the then thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778. And finally, in 1787, one of the declared objects for ordaining and establishing the Constitution was "to form a more perfect Union."

But if destruction of the Union by one or by a part only of the States be lawfully possible, the Union is less perfect than before the Constitution, having lost the vital element of perpetuity.

It follows from these views that no State upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void, and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary, according to circumstances.

I therefore consider that in view of the Constitution and the laws the Union is unbroken, and to the extent of my ability, I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States. Doing this I deem to be only a simple duty on my part, and I shall perform it so far as practicable unless my rightful masters, the American people, shall withhold the requisite means or in some authoritative manner direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union that it will constitutionally defend and maintain itself.

In doing this there needs to be no bloodshed or violence, and there shall be none unless it be forced upon the national authority. The power confided to me will be used to hold, occupy, and possess the property and places belonging to the Government and to collect the duties and imposts; but beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States in any interior locality shall be so great and universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the strict legal right may exist in the Government to enforce the exercise of these offices, the attempt to do so would be so irritating and so nearly impracticable withal that I deem it better to forego for the time the uses of such offices.

The mails, unless repelled, will continue to be furnished in all parts of the Union. So far as possible the people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed unless current events and experience shall show a modification or change to be proper, and in every case and exigency my best discretion will be exercised, according to circumstances actually existing and with a view and a hope of a peaceful solution of the national troubles and the restoration of fraternal sympathies and affections.

That there are persons in one section or another who seek to destroy the Union at all events and are glad of any pretext to do it I will neither affirm nor deny; but if there be such, I need address no word to them. To those, however, who really love the Union may I not speak?

Before entering upon so grave a matter as the destruction of our national fabric, with all its benefits, its memories, and its hopes, would it not be wise to ascertain precisely why we do it? Will you hazard so desperate a step while there is any possibility that any portion of the ills you fly from have no real existence? Will you, while the certain ills you fly to are greater than all the real ones you fly from, will you risk the commission of so fearful a mistake?

All profess to be content in the Union if all constitutional rights can be maintained. Is it true, then, that any right plainly written in the Constitution has been denied? I think not. Happily, the human mind is so constituted that no party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has ever been denied. If by the mere force of numbers a majority should deprive a minority of any clearly written constitutional right, it might in a moral point of view justify revolution; certainly would if such right were a vital one. But such is not our case. All the vital rights of minorities and of individuals are so plainly assured to them by affirmations and negations, guaranties and prohibitions, in the Constitution that controversies never arise concerning them. But no organic law can ever be framed with a provision specifically applicable to every question which may occur in practical administration. No foresight can anticipate nor any

document of reasonable length contain express provisions for all possible questions. Shall fugitives from labor be surrendered by national or by State authority? The Constitution does not expressly say. May Congress prohibit slavery in the Territories? The Constitution does not expressly say. Must Congress protect slavery in the Territories? The Constitution does not expressly say.

From questions of this class spring all our constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the Government must cease. There is no other alternative, for continuing the Government is acquiescence on one side or the other. If a minority in such case will secede rather than acquiesce, they make a precedent which in turn will divide and ruin them, for a minority of their own will secede from them whenever a majority refuses to be controlled by such minority. For instance, why may not any portion of a new confederacy a year or two hence arbitrarily secede again, precisely as portions of the present Union now claim to secede from it? All who cherish disunion sentiments are now being educated to the exact temper of doing this.

Is there such perfect identity of interests among the States to compose a new union as to produce harmony only and prevent renewed secession?

Plainly the central idea of secession is the essence of anarchy. A majority held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it does of necessity fly to anarchy or to despotism. Unanimity is impossible. The rule of a minority, as a permanent arrangement, is wholly inadmissible; so that, rejecting the majority principle, anarchy or despotism in some form is all that is left.

I do not forget the position assumed by some that constitutional questions are to be decided by the Supreme Court, nor do I deny that such decisions must be binding in any case upon the parties to a suit as to the object of that suit, while they are also entitled to very high respect and consideration in all parallel cases by all other departments of the Government. And while it is obviously possible that such decision may be erroneous in any given case, still the evil effect following it, being limited to that particular case, with the chance that it may be overruled and never become a precedent for other cases, can better be borne than could the evils of a different practice. At the same time, the candid citizen must confess that if the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal. Nor is there in this view any assault upon the court or the judges. It is a duty from which they may not shrink to decide cases properly brought before them, and it is no fault of theirs if others seek to turn their decisions to political purposes.

One section of our country believes slavery is right and ought to be extended, while the other believes it is wrong and ought not to be extended. This is the only substantial dispute. The fugitive-slave clause of the Constitution and the law for the suppression of the foreign slave trade are each as well enforced, perhaps, as any law can ever be in a community where the moral sense of the people imperfectly supports the law itself. The great body of the people abide by the dry legal obligation in both cases, and a few break over in each. This, I think, can not be perfectly cured, and it would be worse in both cases after the separation of the sections than before. The foreign slave trade, now imperfectly suppressed, would be ultimately revived without restriction in one section, while fugitive slaves, now only partially surrendered, would not be surrendered at all by the other.

Physically speaking, we can not separate. We can not remove our respective sections from each other nor build an impassable wall between them. A husband and wife may be divorced and go out of the presence and beyond the reach of each other, but the different parts of our country can not do this. They can not but remain face to face, and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory after separation than before? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you can not fight always; and when, after much loss on both sides and no gain on either, you cease fighting, the identical old questions, as to terms of intercourse, are again upon you.

This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government, they can exercise their constitutional right of amending it or their revolutionary right to dismember or overthrow it. I

can not be ignorant of the fact that many worthy and patriotic citizens are desirous of having the National Constitution amended. While I make no recommendation of amendments, I fully recognize the rightful authority of the people over the whole subject, to be exercised in either of the modes prescribed in the instrument itself; and I should, under existing circumstances, favor rather than oppose a fair opportunity being afforded the people to act upon it. I will venture to add that to me the convention mode seems preferable, in that it allows amendments to originate with the people themselves, instead of only permitting them to take or reject propositions originated by others, not especially chosen for the purpose, and which might not be precisely such as they would wish to either accept or refuse. I understand a proposed amendment to the Constitution—which amendment, however, I have not seen—has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid misconstruction of what I have said, I depart from my purpose not to speak of particular amendments so far as to say that, holding such a provision to now be implied constitutional law, I have no objection to its being made express and irrevocable.

The Chief Magistrate derives all his authority from the people, and they have referred none upon him to fix terms for the separation of the States. The people themselves can do this if also they choose, but the Executive as such has nothing to do with it. His duty is to administer the present Government as it came to his hands and to transmit it unimpaired by him to his successor.

Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? In our present differences, is either party without faith of being in the right? If the Almighty Ruler of Nations, with His eternal truth and justice, be on your side of the North, or on yours of the South, that truth and that justice will surely prevail by the judgment of this great tribunal of the American people.

By the frame of the Government under which we live this same people have wisely given their public servants but little power for mischief, and have with equal wisdom provided for the return of that little to their own hands at very short intervals. While the people retain their virtue and vigilance no Administration by any extreme of wickedness or folly can very seriously injure the Government in the short space of four years.

My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it; while the new Administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land are still competent to adjust in the best way all our present difficulty.

In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the Government, while I shall have the most solemn one to "preserve, protect, and defend it."

I am loath to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.



DEDICATION OF
GETTYSBURG NATIONAL CEMETERY
PRESIDENT ABRAHAM LINCOLN

NOVEMBER 19, 1863
GETTYSBURG, PA

Fourscore and seven years ago, our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting-place for those who here gave their lives that that nation might live.

It is altogether fitting and proper that we should do this. But in a larger sense, we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead who struggled here have consecrated it far above our poor power to add or detract.

The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us the living rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced.

It is rather for us to be here dedicated to the great task remaining before us--that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion--that we here highly resolve that these dead shall not have died in vain, that this nation under God shall have a new birth of freedom, and that government of the people, by the people, for the people shall not perish from the earth.

SECOND INAUGURAL ADDRESS

PRESIDENT ABRAHAM LINCOLN

MAY 4, 1864
WASHINGTON DC

At this second appearing to take the oath of the Presidential office there is less occasion for an extended address than there was at the first. Then a statement somewhat in detail of a course to be pursued seemed fitting and proper. Now, at the expiration of four years, during which public declarations have been constantly called forth on every point and phase of the great contest which still absorbs the attention and engrosses the energies of the nation, little that is new could be presented. The progress of our arms, upon which all else chiefly depends, is as well known to the public as to myself, and it is, I trust, reasonably satisfactory and encouraging to all. With high hope for the future, no prediction in regard to it is ventured.

On the occasion corresponding to this four years ago all thoughts were anxiously directed to an impending civil war. All dreaded it, all sought to avert it. While the inaugural address was being delivered from this place, devoted altogether to saving the Union without war, insurgent agents were in the city seeking to destroy it without war--seeking to dissolve the Union and divide effects by negotiation. Both parties deprecated war, but one of them would make war rather than let the nation survive, and the other would accept war rather than let it perish, and the war came.

One-eighth of the whole population were colored slaves, not distributed generally over the Union, but localized in the southern part of it. These slaves constituted a peculiar and powerful interest. All knew that this interest was somehow the cause of the war. To strengthen, perpetuate, and extend this interest was the object for which the insurgents would rend the Union even by war, while the Government claimed no right to do more than to restrict the territorial enlargement of it. Neither party expected for the war the magnitude or the duration which it has already attained. Neither anticipated that the cause of the conflict might cease with or even before the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding. Both read the same Bible and pray to the same God, and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces, but let us judge not, that we be not judged. The prayers of both could not be answered. That of neither has been answered fully. The Almighty has His own purposes. "Woe unto the world because of offenses; for it must needs be that offenses come, but woe to that man by whom the offense cometh." If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said "the judgments of the Lord are true and righteous altogether."

With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.



SESQUICENTENNIAL COMMEMORATION PRESIDENT CALVIN COOLIDGE

**JULY 5, 1926
PHILADELPHIA**

Amidst the Roaring 20's, some Americans felt the structure of the federal government was limiting progress in the United States. President Coolidge used the anniversary of the Declaration of Independence to remind critics that the evolution of our economy has come from the freedoms the government protects.

We meet to celebrate the birthday of America. The coming of a new life always excites our interest. Although we know in the case of the individual that it has been an infinite repetition reaching back beyond our vision, that only makes it the more wonderful. But how our interest and wonder increase when we behold the miracle of the birth of a new nation. It is to pay our tribute of reverence and respect to those who participated in such a mighty event that we annually observe the fourth day of July. Whatever may have been the impression created by the news which went out from this city on that summer day in 1776, there can be no doubt as to the estimate which is now placed upon it. At the end of 150 years the four corners of the earth unite in coming to Philadelphia as to a holy shrine in grateful acknowledgement of a service so great, which a few inspired men here rendered to humanity, that it is still the preeminent support of free government throughout the world.

Although a century and a half measured in comparison with the length of human experience is but a short time, yet measured in the life of governments and nations it ranks as a very respectable period. Certainly enough time has elapsed to demonstrate with a great deal of thoroughness the value of our institutions and their dependability as rules for the regulation of human conduct and the advancement of civilization. They have been in existence long enough to become very well-seasoned. They have met, and met successfully, the test of experience.

It is not so much, then, for the purpose of undertaking to proclaim new theories and principles that this annual celebration is maintained, but rather to reaffirm and reestablish those old theories and principles which time and the unerring logic of events have demonstrated to be sound. Amid all the clash of conflicting interests, amid all the welter of partisan politics, every American can turn for solace and consolation to the Declaration of Independence and the Constitution of the United States with the assurance and confidence that those two great charters of freedom and justice remain firm and unshaken. Whatever perils appear, whatever dangers threaten, the Nation remains secure in the knowledge that the ultimate application of the law of the land will provide an adequate defense and protection.

It is little wonder that people at home and abroad consider Independence Hall as hallowed ground and revere the Liberty Bell as a sacred relic. That pile of bricks and mortar, that mass of metal, might appear to the uninstructed as only the outgrown meeting place and the shattered bell of a former time, useless now because of more modern conveniences, but to those who know they have become consecrated by the use which men have made of them. They have long been identified with a great cause. They are the framework of a spiritual event. The world looks upon them, because of their associations of one hundred and fifty years ago, as it looks upon the Holy Land because of what took place there nineteen hundred years ago. Through use for a righteous purpose they have become sanctified.

It is not here necessary to examine in detail the causes which led to the American Revolution. In their immediate occasion they were largely economic. The colonists objected to the navigation laws which interfered with their trade, they denied the power of Parliament to impose taxes which they were obliged to pay, and they therefore resisted the royal governors and the royal forces which were sent to secure obedience to these laws. But the conviction is inescapable that a new civilization had come, a new spirit had arisen on this side of the Atlantic more advanced and more developed in its regard for the rights of the individual than that which characterized the Old World. Life in a new and open country had aspirations which could not be realized in any subordinate position. A separate establishment was ultimately inevitable. It had been decreed by the very laws of human nature. Man everywhere has an unconquerable desire to be the master of his own destiny.

We are obliged to conclude that the Declaration of Independence represented the movement of a people. It was not, of course, a movement from the top. Revolutions do not come from that direction. It was not without the support of many of the most respectable people in the Colonies, who were entitled to all the consideration that is given to breeding, education, and possessions. It had the support of another element of great significance and importance to which I shall later refer. But the preponderance of all those who occupied a position which took on the aspect of aristocracy did not approve of the Revolution and held toward it an attitude either of neutrality or open hostility. It was in no sense a rising of the oppressed and downtrodden. It brought no scum to the surface, for the reason that colonial society had developed no scum. The great body of the people were accustomed to privations, but they were free from depravity. If they had poverty, it was not of the hopeless kind that afflicts great cities, but the inspiring kind that marks the spirit of the pioneer. The American Revolution represented the informed and mature convictions of a great mass of independent, liberty-loving, God-fearing people who knew their rights, and possessed the courage to dare to maintain them.

The Continental Congress was not only composed of great men, but it represented a great people. While its Members did not fail to exercise a remarkable leadership, they were equally observant of their representative capacity. They were industrious in encouraging their constituents to instruct them to support independence. But until such instructions were given they were inclined to withhold action.

While North Carolina has the honor of first authorizing its delegates to concur with other Colonies in declaring independence, it was quickly followed by South Carolina and Georgia, which also gave general instructions broad enough to include such action. But the first instructions which unconditionally directed its delegates to declare for independence came from the great Commonwealth of Virginia. These were immediately followed by Rhode Island and Massachusetts, while the other Colonies, with the exception of New York, soon adopted a like course.

This obedience of the delegates to the wishes of their constituents, which in some cases caused them to modify their previous positions, is a matter of great significance. It reveals an orderly process of government in the first place; but more than that, it demonstrates that the Declaration of Independence was the result of the seasoned and deliberate thought of the dominant portion of the people of the Colonies. Adopted after long discussion and as the result of the duly authorized expression of the preponderance of public opinion, it did not partake of dark intrigue or hidden conspiracy. It was well advised. It had about it nothing of the lawless and disordered nature of a riotous insurrection. It was maintained on a plane which rises above the ordinary conception of rebellion. It was in no sense a radical movement but took on the dignity of a resistance to illegal usurpations. It was conservative and represented the action of the colonists to maintain their constitutional rights which from time immemorial had been guaranteed to them under the law of the land.

When we come to examine the action of the Continental Congress in adopting the Declaration of Independence in the light of what was set out in that great document and in the light of succeeding events, we can not escape the conclusion that it had a much broader and deeper significance than a mere secession of territory and the establishment of a new nation. Events of that nature have been taking place since the dawn of history. One empire after another has arisen, only to crumble away as its constituent parts separated from each other and set up independent governments of their own. Such actions long ago became commonplace. They have occurred too often to hold the attention of the world and command the admiration and reverence of humanity. There is something beyond the establishment of a new nation, great as that event would be, in the Declaration of Independence which has ever since caused it to be regarded as one of the great charters that not only was to liberate America but was everywhere to ennoble humanity.

It was not because it was proposed to establish a new nation, but because it was proposed to establish a nation on new principles, that July 4, 1776, has come to be regarded as one of the greatest days in history. Great ideas do not burst upon the world unannounced. They are reached by a gradual development over a length of time usually proportionate to their importance. This is especially true of the principles laid down in the Declaration of Independence. Three very definite propositions were set out in its preamble regarding the nature of mankind and therefore of government. These were the doctrine that all men are created equal, that they are endowed with certain inalienable rights, and that therefore the source of the just powers of government must be derived from the consent of the governed.

If no one is to be accounted as born into a superior station, if there is to be no ruling class, and if all possess rights which can neither be bartered away nor taken from them by any earthly power, it follows as a matter of course that the practical authority of the Government has to rest on the consent of the governed. While these principles were not altogether new in political action, and were very far from new in political speculation, they had never been assembled before and declared in such a combination. But remarkable as this may be, it is not the chief distinction of the Declaration of Independence. The importance of political speculation is not to be underestimated, as I shall presently disclose. Until the idea is developed and the plan made there can be no action.

It was the fact that our Declaration of Independence containing these immortal truths was the political action of a duly authorized and constituted representative public body in its sovereign capacity, supported by the force of general opinion and by the armies of Washington already in the field, which makes it the most important civil document in the world. It was not only the principles declared, but the fact that there with a new nation was born which was to be founded upon those principles and which from that time forth in its development has actually maintained those principles, that makes this pronouncement an incomparable event in the history of government. It was an assertion that a people had arisen determined to make every necessary sacrifice for the support of these truths and by their practical application bring the War of Independence to a successful conclusion and adopt the Constitution of the United States with all that it has meant to civilization. The idea that the people have a right to choose their own rulers was not new in political history. It was the foundation of every popular attempt to depose an undesirable king. This right was set out with a good deal of detail by the Dutch when as early as July 26, 1581, they declared their independence of Philip of Spain. In their long struggle with the Stuarts the British people asserted the same principles,

which finally culminated in the Bill of Rights deposing the last of that house and placing William and Mary on the throne. In each of these cases sovereignty through divine right was displaced by sovereignty through the consent of the people. Running through the same documents, though expressed in different terms, is the clear inference of inalienable rights. But we should search these charters in vain for an assertion of the doctrine of equality. This principle had not before appeared as an official political declaration of any nation. It was profoundly revolutionary. It is one of the corner stones of American institutions.

But if these truths to which the Declaration refers have not before been adopted in their combined entirety by national authority, it is a fact that they had been long pondered and often expressed in political speculation. It is generally assumed that French thought had some effect upon our public mind during Revolutionary days. This may have been true. But the principles of our Declaration had been under discussion in the Colonies for nearly two generations before the advent of the French political philosophy that characterized the middle of the eighteenth century. In fact, they come from an earlier date. A very positive echo of what the Dutch had done in 1581, and what the English were preparing to do, appears in the assertion of the Rev. Thomas Hooker, of Connecticut, as early as 1638, when he said in a sermon before the General Court that—

“The foundation of authority is laid in the free consent of the people.”

“The choice of public magistrates belongs unto the people by God’s own allowance.”

This doctrine found wide acceptance among the nonconformist clergy who later made up the Congregational Church. The great apostle of this movement was the Rev. John Wise, of Massachusetts. He was one of the leaders of the revolt against the royal governor Andros in 1687, for which he suffered imprisonment. He was a liberal in ecclesiastical controversies. He appears to have been familiar with the writings of the political scientist, Samuel Pufendorf, who was born in Saxony in 1632. Wise published a treatise, entitled “The Church’s Quarrel Espoused,” in 1710, which was amplified in another publication in 1717. In it he dealt with the principles of civil government. His works were reprinted in 1772 and have been declared to have been nothing less than a textbook of liberty for our Revolutionary fathers.

While the written word was the foundation, it is apparent that the spoken word was the vehicle for convincing the people. This came with great force and wide range from the successors of Hooker and Wise. It was carried on with a missionary spirit which did not fail to reach the Scotch-Irish of North Carolina, showing its influence by significantly making that Colony the first to give instructions to its delegates looking to independence. This preaching reached the neighborhood of Thomas Jefferson, who acknowledged that his “best ideas of democracy” had been secured at church meetings.

That these ideas were prevalent in Virginia is further revealed by the Declaration of Rights, which was prepared by George Mason and presented to the general assembly on May 27, 1776. This document asserted popular sovereignty and inherent natural rights, but confined the doctrine of equality to the assertion that “All men are created equally free and independent.” It can scarcely be imagined that Jefferson was unacquainted with what had been done in his own Commonwealth of Virginia when he took up the task of drafting the Declaration of Independence. But these thoughts can very largely be traced back to what John Wise was writing in 1710. He said, “Every man must be acknowledged equal to every man.” Again, “The end of all good government is to cultivate humanity and promote the happiness of all and the good of every man in all his rights, his life, liberty, estate, honor, and so forth. ...” And again, “For as they have a power every man in his natural state, so upon combination they can and do bequeath this power to others and settle it according as their united discretion shall determine.” And still again, “Democracy is Christ’s government in church and state.” Here was the doctrine of equality, popular sovereignty, and the substance of the theory of inalienable rights clearly asserted by Wise at the opening of the eighteenth century, just as we have the principle of the consent of the governed stated by Hooker as early as 1638.

When we take all these circumstances into consideration, it is but natural that the first paragraph of the Declaration of Independence should open with a reference to Nature’s God and should close in the final paragraphs with an appeal to the Supreme Judge of the world and an assertion of a firm reliance on Divine Providence. Coming from these sources, having as it did this

background, it is no wonder that Samuel Adams could say "The people seem to recognize this resolution as though it were a decree promulgated from heaven."

No one can examine this record and escape the conclusion that in the great outline of its principles the Declaration was the result of the religious teachings of the preceding period. The profound philosophy which Jonathan Edwards applied to theology, the popular preaching of George Whitefield, had aroused the thought and stirred the people of the Colonies in preparation for this great event. No doubt the speculations which had been going on in England, and especially on the Continent, lent their influence to the general sentiment of the times. Of course, the world is always influenced by all the experience and all the thought of the past. But when we come to a contemplation of the immediate conception of the principles of human relationship which went into the Declaration of Independence we are not required to extend our search beyond our own shores. They are found in the texts, the sermons, and the writings of the early colonial clergy who were earnestly undertaking to instruct their congregations in the great mystery of how to live. They preached equality because they believed in the fatherhood of God and the brotherhood of man. They justified freedom by the text that we are all created in the divine image, all partakers of the divine spirit.

Placing every man on a plane where he acknowledged no superiors, where no one possessed any right to rule over him, he must inevitably choose his own rulers through a system of self-government. This was their theory of democracy. In those days such doctrines would scarcely have been permitted to flourish and spread in any other country. This was the purpose which the fathers cherished. In order that they might have freedom to express these thoughts and opportunity to put them into action, whole congregations with their pastors had migrated to the Colonies. These great truths were in the air that our people breathed. Whatever else we may say of it, the Declaration of Independence was profoundly American.

If this apprehension of the facts be correct, and the documentary evidence would appear to verify it, then certain conclusions are bound to follow. A spring will cease to flow if its source be dried up; a tree will wither if its roots be destroyed. In its main features the Declaration of Independence is a great spiritual document. It is a declaration not of material but of spiritual conceptions. Equality, liberty, popular sovereignty, the rights of man — these are not elements which we can see and touch. They are ideals. They have their source and their roots in the religious convictions. They belong to the unseen world. Unless the faith of the American people in these religious convictions is to endure, the principles of our Declaration will perish. We cannot continue to enjoy the result if we neglect and abandon the cause.

We are too prone to overlook another conclusion. Governments do not make ideals, but ideals make governments. This is both historically and logically true. Of course the government can help to sustain ideals and can create institutions through which they can be better observed, but their source by their very nature is in the people. The people have to bear their own responsibilities. There is no method by which that burden can be shifted to the government. It is not the enactment, but the observance of laws, that creates the character of a nation.

About the Declaration there is a finality that is exceedingly restful. It is often asserted that the world has made a great deal of progress since 1776, that we have had new thoughts and new experiences which have given us a great advance over the people of that day, and that we may therefore very well discard their conclusions for something more modern. But that reasoning can not be applied to this great charter. If all men are created equal, that is final. If they are endowed with inalienable rights, that is final. If governments derive their just powers from the consent of the governed, that is final. No advance, no progress can be made beyond these propositions. If anyone wishes to deny their truth or their soundness, the only direction in which he can proceed historically is not forward, but backward toward the time when there was no equality, no rights of the individual, no rule of the people. Those who wish to proceed in that direction can not lay claim to progress. They are reactionary. Their ideas are not more modern, but more ancient, than those of the Revolutionary fathers.

In the development of its institutions America can fairly claim that it has remained true to the principles which were declared 150 years ago. In all the essentials we have achieved an equality which was never possessed by any other people. Even in the less important matter of material possessions we have secured a wider and wider distribution of wealth. The rights of the indi-

vidual are held sacred and protected by constitutional guaranties, which even the Government itself is bound not to violate. If there is any one thing among us that is established beyond question, it is self-government — the right of the people to rule. If there is any failure in respect to any of these principles, it is because there is a failure on the part of individuals to observe them. We hold that the duly authorized expression of the will of the people has a divine sanction. But even in that we come back to the theory of John Wise that “Democracy is Christ’s government.” The ultimate sanction of law rests on the righteous authority of the Almighty.

On an occasion like this a great temptation exists to present evidence of the practical success of our form of democratic republic at home and the ever-broadening acceptance it is securing abroad. Although these things are well known, their frequent consideration is an encouragement and an inspiration. But it is not results and effects so much as sources and causes that I believe it is even more necessary constantly to contemplate. Ours is a government of the people. It represents their will. Its officers may sometimes go astray, but that is not a reason for criticizing the principles of our institutions. The real heart of the American Government depends upon the heart of the people. It is from that source that we must look for all genuine reform. It is to that cause that we must ascribe all our results.

It was in the contemplation of these truths that the fathers made their declaration and adopted their Constitution. It was to establish a free government, which must not be permitted to degenerate into the unrestrained authority of a mere majority or the unbridled weight of a mere influential few. They undertook the balance these interests against each other and provide the three separate independent branches, the executive, the legislative, and the judicial departments of the Government, with checks against each other in order that neither one might encroach upon the other. These are our guaranties of liberty. As a result of these methods enterprise has been duly protected from confiscation, the people have been free from oppression, and there has been an ever-broadening and deepening of the humanities of life.

Under a system of popular government there will always be those who will seek for political preferment by clamoring for reform. While there is very little of this which is not sincere, there is a large portion that is not well informed. In my opinion very little of just criticism can attach to the theories and principles of our institutions. There is far more danger of harm than there is hope of good in any radical changes. We do need a better understanding and comprehension of them and a better knowledge of the foundations of government in general. Our forefathers came to certain conclusions and decided upon certain courses of action which have been a great blessing to the world. Before we can understand their conclusions we must go back and review the course which they followed. We must think the thoughts which they thought. Their intellectual life centered around the meeting-house. They were intent upon religious worship. While there were always among them men of deep learning, and later those who had comparatively large possessions, the mind of the people was not so much engrossed in how much they knew, or how much they had, as in how they were going to live. While scantily provided with other literature, there was a wide acquaintance with the Scriptures. Over a period as great as that which measures the existence of our independence they were subject to this discipline not only in their religious life and educational training, but also in their political thought. They were a people who came under the influence of a great spiritual development and acquired a great moral power.

No other theory is adequate to explain or comprehend the Declaration of Independence. It is the product of the spiritual insight of the people. We live in an age of science and of abounding accumulation of material things. These did not create our Declaration. Our Declaration created them. The things of the spirit come first. Unless we cling to that, all our material prosperity, overwhelming though it may appear, will turn to a barren scepter in our grasp. If we are to maintain the great heritage which has been bequeathed to us, we must be like-minded as the fathers who created it. We must not sink into a pagan materialism. We must cultivate the reverence which they had for the things that are holy. We must follow the spiritual and moral leadership which they showed. We must keep replenished, that they may glow with a more compelling flame, the altar fires before which they worshiped.



FAREWELL
ADDRESS
WARNING AGAINST
MILITARY-INDUSTRIAL
COMPLEX

PRESIDENT
DWIGHT D. EISENHOWER

JANUARY 17, 1961
WASHINGTON DC

Expanding on his previous 'Cross of Iron' Speech, President Eisenhower used his farewell address to warn his fellow citizens of the social and economic consequence of expanding military contractors.

While political scientists have closely studied this speech for fifty years, it was overshadowed by Eisenhower's successor three days later.

My fellow Americans:

Three days from now, after half a century in the service of our country, I shall lay down the responsibilities of office as, in traditional and solemn ceremony, the authority of the Presidency is vested in my successor.

This evening I come to you with a message of leave-taking and farewell, and to share a few final thoughts with you, my countrymen.

Like every other citizen, I wish the new President, and all who will labor with him, Godspeed. I pray that the coming years will be blessed with peace and prosperity for all.

Our people expect their President and the Congress to find essential agreement on issues of great moment, the wise resolution of which will better shape the future of the Nation.

My own relations with the Congress, which began on a remote and tenuous basis when, long ago, a member of the Senate appointed me to West Point, have since ranged to the intimate during the war and immediate post-war period, and, finally, to the mutually interdependent during these past eight years.

In this final relationship, the Congress and the Administration have, on most vital issues, cooperated well, to serve the national good rather than mere partisanship, and so have assured that the business of the Nation should go forward. So, my official relationship with the Congress ends in a feeling, on my part, of gratitude that we have been able to do so much together.

We now stand ten years past the midpoint of a century that has witnessed four major wars among great nations. Three of these involved our own country. Despite these holocausts America is today the strongest, the most influential and most pro-

ductive nation in the world. Understandably proud of this pre-eminence, we yet realize that America's leadership and prestige depend, not merely upon our unmatched material progress, riches and military strength, but on how we use our power in the interests of world peace and human betterment.

Throughout America's adventure in free government, our basic purposes have been to keep the peace; to foster progress in human achievement, and to enhance liberty, dignity and integrity among people and among nations. To strive for less would be unworthy of a free and religious people. Any failure traceable to arrogance, or our lack of comprehension or readiness to sacrifice would inflict upon us grievous hurt both at home and abroad.

Progress toward these noble goals is persistently threatened by the conflict now engulfing the world. It commands our whole attention, absorbs our very beings. We face a hostile ideology -- global in scope, atheistic in character, ruthless in purpose, and insidious in method. Unhappily the danger it poses promises to be of indefinite duration. To meet it successfully, there is called for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle -- with liberty the stake. Only thus shall we remain, despite every provocation, on our chartered course toward permanent peace and human betterment.

Crises there will continue to be. In meeting them, whether foreign or domestic, great or small, there is a recurring temptation to feel that some spectacular and costly action could become the miraculous solution to all current difficulties. A huge increase in newer elements of our defense; development of unrealistic programs to cure every ill in agriculture; a dramatic expansion in basic and applied research -- these and many other possibilities, each possibly promising in itself, may be suggested as the only way to the road we wish to travel.

But each proposal must be weighed in the light of a broader consideration: the need to maintain balance in and among national programs -- balance between the private and the public economy, balance between cost and hoped for advantage -- balance between the clearly necessary and the comfortably desirable; balance between our essential requirements as a nation and the duties imposed by the nation upon the individual; balance between actions of the moment and the national welfare of the future. Good judgment seeks balance and progress; lack of it eventually finds imbalance and frustration.

The record of many decades stands as proof that our people and their government have, in the main, understood these truths and have responded to them well, in the face of stress and threat. But threats, new in kind or degree, constantly arise. I mention two only.

A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction.

Our military organization today bears little relation to that known by any of my predecessors in peacetime, or indeed by the fighting men of World War II or Korea.

Until the latest of our world conflicts, the United States had no armaments industry. American makers of plowshares could, with time and as required, make swords as well. But now we can no longer risk emergency improvisation of national defense; we have been compelled to create a permanent armaments industry of vast proportions. Added to this, three and a half million men and women are directly engaged in the defense establishment. We annually spend on military security more than the net income of all United States corporations.

This conjunction of an immense military establishment and a large arms industry is new in the American experience. The total influence -- economic, political, even spiritual -- is felt in every city, every State house, every office of the Federal government. We recognize the imperative need for this development. Yet we must not fail to comprehend its grave implications. Our toil, resources and livelihood are all involved; so is the very structure of our society.

In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.

We must never let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the proper meshing of the huge industrial and military machinery of defense with our peaceful methods and goals, so that security and liberty may prosper together.

Akin to, and largely responsible for the sweeping changes in our industrial-military posture, has been the technological revolution during recent decades.

In this revolution, research has become central; it also becomes more formalized, complex, and costly. A steadily increasing share is conducted for, by, or at the direction of, the Federal government.

Today, the solitary inventor, tinkering in his shop, has been overshadowed by task forces of scientists in laboratories and testing fields. In the same fashion, the free university, historically the fountainhead of free ideas and scientific discovery, has experienced a revolution in the conduct of research. Partly because of the huge costs involved, a government contract becomes virtually a substitute for intellectual curiosity. For every old blackboard there are now hundreds of new electronic computers.

The prospect of domination of the nation's scholars by Federal employment, project allocations, and the power of money is ever present

and is gravely to be regarded. Yet, in holding scientific research and discovery in respect, as we should, we must also be alert to the equal and opposite danger that public policy could itself become the captive of a scientific-technological elite.

It is the task of statesmanship to mold, to balance, and to integrate these and other forces, new and old, within the principles of our democratic system -- ever aiming toward the supreme goals of our free society.

Another factor in maintaining balance involves the element of time. As we peer into society's future, we -- you and I, and our government -- must avoid the impulse to live only for today, plundering, for our own ease and convenience, the precious resources of tomorrow. We cannot mortgage the material assets of our grandchildren without risking the loss also of their political and spiritual heritage. We want democracy to survive for all generations to come, not to become the insolvent phantom of tomorrow.

Down the long lane of the history yet to be written America knows that this world of ours, ever growing smaller, must avoid becoming a community of dreadful fear and hate, and be instead, a proud confederation of mutual trust and respect.

Such a confederation must be one of equals. The weakest must come to the conference table with the same confidence as do we, protected as we are by our moral, economic, and military strength. That table, though scarred by many past frustrations, cannot be abandoned for the certain agony of the battlefield.

Disarmament, with mutual honor and confidence, is a continuing imperative. Together we must learn how to compose differences, not with arms, but with intellect and decent purpose. Because this need is so sharp and apparent I confess that I lay down my official responsibilities in this field with a definite sense of disappointment. As one who has witnessed the horror and the lingering sadness of war -- as one who knows that another war could utterly destroy this civilization which has been so slowly and painfully built over thousands of years -- I wish I could say tonight that a lasting peace is in sight.

Happily, I can say that war has been avoided. Steady progress toward our ultimate goal has been made. But, so much remains to be done. As a private citizen, I shall never cease to do what little I can to help the world advance along that road.

So -- in this my last good night to you as your President -- I thank you for the many opportunities you have given me for public service in war and peace. I trust that in that service you find some things worthy; as for the rest of it, I know you will find ways to improve performance in the future.

You and I -- my fellow citizens -- need to be strong in our faith that all nations, under God, will reach the goal of peace with justice. May we be ever unswerving in devotion to principle, confident but humble with power, diligent in pursuit of the Nation's great goals.

To all the peoples of the world, I once more give expression to America's prayerful and continuing aspiration:



INAUGURATION ADDRESS

**PRESIDENT
JOHN F. KENNEDY**

**JANUARY 20, 1961
WASHINGTON, DC**

Historians often note that few inaugural addresses provide a transformational message to the people. One of the most notable exceptions came with the arrival of John F. Kennedy.

The speech provides an idealistic tone, yet directly addresses Cold War tensions. While sending clear warning shots to the Soviets, it also calls for cooperation towards common goals.

Vice President Johnson, Mr. Speaker, Mr. Chief Justice, President Eisenhower, Vice President Nixon, President Truman, Reverend Clergy, fellow citizens:

We observe today not a victory of party but a celebration of freedom--symbolizing an end as well as a beginning--signifying renewal as well as change. For I have sworn before you and Almighty God the same solemn oath our forbears prescribed nearly a century and three-quarters ago.

The world is very different now. For man holds in his mortal hands the power to abolish all forms of human poverty and all forms of human life. And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe--the belief that the rights of man come not from the generosity of the state but from the hand of God.

We dare not forget today that we are the heirs of that first revolution. Let the word go forth from this time and place, to friend and foe alike, that the torch has been passed to a new generation of Americans--born in this century, tempered by war, disciplined by a hard and bitter peace, proud of our ancient heritage--and unwilling to witness or permit the slow undoing of those human rights to which this nation has always been committed, and to which we are committed today at home and around the world.

Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe to assure the survival and the success of liberty.

This much we pledge--and more.

To those old allies whose cultural and spiritual origins we share, we pledge the loyalty of faithful friends. United there is little we cannot do in a host of cooperative ventures. Divided there is little we can do--for we dare not meet a powerful challenge at odds and split asunder.

To those new states whom we welcome to the ranks of the free, we pledge our word that one form of colonial control shall not have passed away merely to be replaced by a far more iron tyranny. We shall not always expect to find them supporting our view. But we shall always hope to find them strongly supporting their own freedom--and to remember that, in the past, those who foolishly sought power by riding the back of the tiger ended up inside.

To those people in the huts and villages of half the globe struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves, for whatever period is required--not because the communists may be doing it, not because we seek their votes, but because it is right. If a free society cannot help the many who are poor, it cannot save the few who are rich.

To our sister republics south of our border, we offer a special pledge--to convert our good words into good deeds--in a new alliance for progress--to assist free men and free governments in casting off the chains of poverty. But this peaceful revolution of hope cannot become the prey of hostile powers. Let all our neighbors know that we shall join with them to oppose aggression or subversion anywhere in the Americas. And let every other power know that this Hemisphere intends to remain the master of its own house.

To that world assembly of sovereign states, the United Nations, our last best hope in an age where the instruments of war have far outpaced the instruments of peace, we renew our pledge of support--to prevent it from becoming merely a forum for invective--to strengthen its shield of the new and the weak--and to enlarge the area in which its writ may run.

Finally, to those nations who would make themselves our adversary, we offer not a pledge but a request: that both sides begin anew the quest for peace, before the dark powers of destruction unleashed by science engulf all humanity in planned or accidental self-destruction.

We dare not tempt them with weakness. For only when our arms are sufficient beyond doubt can we be certain beyond doubt that they will never be employed.

But neither can two great and powerful groups of nations take comfort from our present course--both sides overburdened by the cost of modern weapons, both rightly alarmed by the steady spread of the deadly atom, yet both racing to alter that uncertain balance of terror that stays the hand of mankind's final war.

So let us begin anew--remembering on both sides that civility is not a sign of weakness, and sincerity is always subject to proof. Let us never negotiate out of fear. But let us never fear to negotiate.

Let both sides explore what problems unite us instead of belaboring those problems which divide us.

Let both sides, for the first time, formulate serious and precise proposals for the inspection and control of arms--and bring the absolute power to destroy other nations under the absolute control of all nations.

Let both sides seek to invoke the wonders of science instead of its terrors. Together let us explore the stars, conquer the deserts, eradicate disease, tap the ocean depths and encourage the arts and commerce.

Let both sides unite to heed in all corners of the earth the command of Isaiah--to "undo the heavy burdens . . . (and) let the oppressed go free."

And if a beachhead of cooperation may push back the jungle of suspicion, let both sides join in creating a new endeavor, not a new balance of power, but a new world of law, where the strong are just and the weak secure and the peace preserved.

All this will not be finished in the first one hundred days. Nor will it be finished in the first one thousand days, nor in the life of this Administration, nor even perhaps in our lifetime on this planet. But let us begin.

In your hands, my fellow citizens, more than mine, will rest the final success or failure of our course. Since this country was founded, each generation of Americans has been summoned to give testimony to its national loyalty. The graves of young Americans who answered the call to service surround the globe.

Now the trumpet summons us again--not as a call to bear arms, though arms we need--not as a call to battle, though embattled we are-- but a call to bear the burden of a long twilight struggle, year in and year out, "rejoicing in hope, patient in tribulation"--a struggle against the common enemies of man: tyranny, poverty, disease and war itself.

Can we forge against these enemies a grand and global alliance, North and South, East and West, that can assure a more fruitful life for all mankind? Will you join in that historic effort?

In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger. I do not shrink from this responsibility--I welcome it. I do not believe that any of us would exchange places with any other people or any other generation. The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it--and the glow from that fire can truly light the world.

And so, my fellow Americans: ask not what your country can do for you--ask what you can do for your country.

My fellow citizens of the world: ask not what America will do for you, but what together we can do for the freedom of man.

Finally, whether you are citizens of America or citizens of the world, ask of us here the same high standards of strength and sacrifice which we ask of you. With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own.

“A CALL FOR UNITY”

In the spring of 1963, eight white clergymen joined together to sign a letter to the editor expressing their concerns about outsiders, including Rev. Martin Luther King, Jr., escalating racial tensions in Alabama.

After reading the letter on a smuggled in newspaper, King responded with the famous “Letter From Birmingham Jail.”

PUBLIC STATEMENT BY EIGHT ALABAMA CLERGYMEN

April 12, 1963

We the undersigned clergymen are among those who, in January, issued "An Appeal for Law and Order and Common Sense," in dealing with racial problems in Alabama. We expressed understanding that honest convictions in racial matters could properly be pursued in the courts, but urged that decisions of those courts should in the meantime be peacefully obeyed.

Since that time there had been some evidence of increased forbearance and a willingness to face facts. Responsible citizens have undertaken to work on various problems which cause racial friction and unrest. In Birmingham, recent public events have given indication that we all have opportunity for a new constructive and realistic approach to racial problems.

However, we are now confronted by a series of demonstrations by some of our Negro citizens, directed and led in part by outsiders. We recognize the natural impatience of people who feel that their hopes are slow in being realized. But we are convinced that these demonstrations are unwise and untimely.

We agree rather with certain local Negro leadership which has called for honest and open negotiation of racial issues in our area. And we believe this kind of facing of issues can best be accomplished by citizens of our own metropolitan area, white and Negro, meeting with their knowledge and experience of the local situation. All of us need to face that responsibility and find proper channels for its accomplishment.

Just as we formerly pointed out that "hatred and violence have no sanction in our religious and political traditions," we also point out that such actions as incite to hatred and violence, however technically peaceful those actions may be, have not contributed to the resolution of our local problems. We do not believe that these days of new hope are days when extreme measures are justified in Birmingham.

We commend the community as a whole, and the local news media and law enforcement in particular, on the calm manner in which these demonstrations have been handled. We urge the public to continue to show restraint should the demonstrations continue, and the law enforcement official to remain calm and continue to protect our city from violence.

We further strongly urge our own Negro community to withdraw support from these demonstrations, and to unite locally in working peacefully for a better Birmingham. When rights are consistently denied, a cause should be pressed in the courts and in negotiations among local leaders, and not in the streets. We appeal to both our white and Negro citizenry to observe the principles of law and order and common sense.

C. C. J. Carpenter, D.D., LL.D.
Bishop of Alabama

Joseph A. Durick, D.D.
Auxiliary Bishop, Diocese of Mobile, Birmingham

Rabbi Hilton L. Grafman
Temple Emanu-El, Birmingham, Alabama

Bishop Paul Hardin
Bishop of the Alabama-West Florida Conference

Bishop Nolan B. Harmon
Bishop of the North Alabama Conference of the Methodist Church

George M. Murray, D.D., LL.D.
Bishop Coadjutor, Episcopal Diocese of Alabama

Edward V. Ramage
Moderator, Synod of the Alabama Presbyterian Church

Earl Stallings
Pastor, First Baptist Church, Birmingham, Alabama



LETTER FROM BIRMINGHAM JAIL

MARTIN LUTHER KING, JR.

**APRIL 16, 1963
BIRMINGHAM, AL**

My Dear Fellow Clergymen:

While confined here in the Birmingham city jail, I came across your recent statement calling my present activities "unwise and untimely." Seldom do I pause to answer criticism of my work and ideas. If I sought to answer all the criticisms that cross my desk, my secretaries would have little time for anything other than such correspondence in the course of the day, and I would have no time for constructive work. But since I feel that you are men of genuine good will and that your criticisms are sincerely set forth, I want to try to answer your statement in what I hope will be patient and reasonable terms.

I think I should indicate why I am here in Birmingham, since you have been influenced by the view which argues against "outsiders coming in." I have the honor of serving as president of the Southern Christian Leadership Conference, an organization operating in every southern state, with headquarters in Atlanta, Georgia. We have some eighty five affiliated organizations across the South, and one of them is the Alabama Christian Movement for Human Rights. Frequently we share staff, educational and financial resources with our affiliates. Several months ago the affiliate here in Birmingham asked us to be on call to engage in a nonviolent direct action program if such were deemed necessary. We readily consented, and when the hour came we lived up to our promise. So I, along with several members of my staff, am here because I was invited here. I am here because I have organizational ties here.

But more basically, I am in Birmingham because injustice is here. Just as the prophets of the eighth century B.C. left their villages and carried their "thus saith the Lord" far beyond the boundaries of their home towns, and just as the Apostle Paul left his village of Tarsus and carried the gospel of Jesus Christ to the far corners of the Greco Roman world, so am I compelled to carry the gospel of freedom beyond my own home town. Like Paul, I must constantly respond to the Macedonian call for aid.

Moreover, I am cognizant of the interrelatedness of all communities and states. I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial "outside agitator" idea. Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds.

You deplore the demonstrations taking place in Birmingham. But your statement, I am sorry to say, fails to express a similar concern for the conditions that brought about the demonstrations. I am sure that none of you would want to rest content with the superficial kind of social analysis that deals merely with effects and does not grapple with underlying causes. It is unfortunate that demonstrations are taking place in Birmingham, but it is even more unfortunate that the city's white power structure left the Negro community with no alternative.

In any nonviolent campaign there are four basic steps: collection of the facts to determine whether injustices exist; negotiation; self purification; and direct action. We have gone through all these steps in Birmingham. There can be no gainsaying the fact that racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of brutality is widely known. Negroes have experienced grossly unjust treatment in the courts. There have been more unsolved bombings of Negro homes and churches in Birmingham than in any other city in the nation. These are the hard, brutal facts of the case. On the basis of these conditions, Negro leaders sought to negotiate with the city fathers. But the latter consistently refused to engage in good faith negotiation.

Then, last September, came the opportunity to talk with leaders of Birmingham's economic community. In the course of the negotiations, certain promises were made by the merchants--for example, to remove the stores' humiliating racial signs. On the basis of these promises, the Reverend Fred Shuttlesworth and the leaders of the Alabama Christian Movement for Human Rights agreed to a moratorium on all demonstrations. As the weeks and months went by, we realized that we were the victims of a broken promise. A few signs, briefly removed, returned; the others remained. As in so many past experiences, our hopes had been blasted, and the shadow of deep disappointment settled upon us. We had no alternative except to prepare for direct action, whereby we would present our very bodies as a means of laying our case before the conscience of the local and the national community. Mindful of the difficulties involved, we decided to undertake a process of self purification. We began a series of workshops on nonviolence, and we repeatedly asked ourselves: "Are you able to accept blows without retaliating?" "Are you able to endure the ordeal of jail?" We decided to schedule our direct action program for the Easter season, realizing that except for Christmas, this is the main shopping period of the year. Knowing that a strong economic-withdrawal program would be the by product of direct action, we felt that this would be the best time to bring pressure to bear on the merchants for the needed change.

Then it occurred to us that Birmingham's mayoral election was coming up in March, and we speedily decided to postpone action until after election day. When we discovered that the Commissioner of Public Safety, Eugene "Bull" Connor, had piled up enough votes to be in the run off, we decided again to postpone action until the day after the run off so that the demonstrations could not be used to cloud the issues. Like many others, we waited to see Mr. Connor defeated, and to this end we endured postponement after postponement. Having aided in this community need, we felt that our direct action program could be delayed no longer.

You may well ask: "Why direct action? Why sit ins, marches and so forth? Isn't negotiation a better path?" You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and

foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. My citing the creation of tension as part of the work of the nonviolent resister may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly opposed violent tension, but there is a type of constructive, nonviolent tension which is necessary for growth. Just as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half truths to the unfettered realm of creative analysis and objective appraisal, so must we see the need for nonviolent gadflies to create the kind of tension in society that will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood. The purpose of our direct action program is to create a situation so crisis packed that it will inevitably open the door to negotiation. I therefore concur with you in your call for negotiation. Too long has our beloved Southland been bogged down in a tragic effort to live in monologue rather than dialogue.

One of the basic points in your statement is that the action that I and my associates have taken in Birmingham is untimely. Some have asked: "Why didn't you give the new city administration time to act?" The only answer that I can give to this query is that the new Birmingham administration must be prodded about as much as the outgoing one, before it will act. We are sadly mistaken if we feel that the election of Albert Boutwell as mayor will bring the millennium to Birmingham. While Mr. Boutwell is a much more gentle person than Mr. Connor, they are both segregationists, dedicated to maintenance of the status quo. I have hope that Mr. Boutwell will be reasonable enough to see the futility of massive resistance to desegregation. But he will not see this without pressure from devotees of civil rights. My friends, I must say to you that we have not made a single gain in civil rights without determined legal and nonviolent pressure. Lamentably, it is an historical fact that privileged groups seldom give up their privileges voluntarily. Individuals may see the moral light and voluntarily give up their unjust posture; but, as Reinhold Niebuhr has reminded us, groups tend to be more immoral than individuals.

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct action campaign that was "well timed" in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has almost always meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."

We have waited for more than 340 years for our constitutional and God given rights. The nations of Asia and Africa are moving with jetlike speed toward gaining political independence, but we still creep at horse and buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps it is easy for those who have never felt the stinging darts of segregation to say, "Wait." But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate filled policemen curse, kick and even kill your black brothers and sisters; when you see the vast majority of your twenty million Negro brothers smothering in an airtight cage of poverty in the midst of an affluent society; when you suddenly find your tongue twisted and your speech stammering as you seek to explain to your six year old daughter why she can't go to the public amusement park that has just been advertised on television, and see tears welling up in her eyes when she is told that Funtown is closed to colored children, and see ominous clouds of inferiority beginning to form in her little mental sky, and see her beginning to distort her personality by developing an unconscious bitterness toward white people; when you have to concoct an answer for a five year old son who is asking: "Daddy, why do white people treat colored people so mean?"; when you take a cross county drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you; when you are humiliated day in and day out by nagging signs reading "white" and "colored"; when your first name becomes "nigger," your middle name becomes "boy" (however old you are) and your last name becomes "John," and your wife and mother are never given the respected title "Mrs."; when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tiptoe stance, never quite knowing what to expect next, and are plagued with inner fears and outer resentments; when you are forever fighting a degenerating sense of "nobodiness"--then you will understand why we find it difficult to wait. There comes a time when the cup of endurance runs over, and men are no longer will-

ing to be plunged into the abyss of despair. I hope, sirs, you can understand our legitimate and unavoidable impatience. You express a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, at first glance it may seem rather paradoxical for us consciously to break laws. One may well ask: "How can you advocate breaking some laws and obeying others?" The answer lies in the fact that there are two types of laws: just and unjust. I would be the first to advocate obeying just laws. One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that "an unjust law is no law at all."

Now, what is the difference between the two? How does one determine whether a law is just or unjust? A just law is a man made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an "I it" relationship for an "I thou" relationship and ends up relegating persons to the status of things. Hence segregation is not only politically, economically and sociologically unsound, it is morally wrong and sinful. Paul Tillich has said that sin is separation. Is not segregation an existential expression of man's tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.

Let us consider a more concrete example of just and unjust laws. An unjust law is a code that a numerical or power majority group compels a minority group to obey but does not make binding on itself. This is difference made legal. By the same token, a just law is a code that a majority compels a minority to follow and that it is willing to follow itself. This is sameness made legal. Let me give another explanation. A law is unjust if it is inflicted on a minority that, as a result of being denied the right to vote, had no part in enacting or devising the law. Who can say that the legislature of Alabama which set up that state's segregation laws was democratically elected? Throughout Alabama all sorts of devious methods are used to prevent Negroes from becoming registered voters, and there are some counties in which, even though Negroes constitute a majority of the population, not a single Negro is registered. Can any law enacted under such circumstances be considered democratically structured?

Sometimes a law is just on its face and unjust in its application. For instance, I have been arrested on a charge of parading without a permit. Now, there is nothing wrong in having an ordinance which requires a permit for a parade. But such an ordinance becomes unjust when it is used to maintain segregation and to deny citizens the First-Amendment privilege of peaceful assembly and protest.

I hope you are able to see the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Of course, there is nothing new about this kind of civil disobedience. It was evidenced sublimely in the refusal of Shadrach, Meshach and Abednego to obey the laws of Nebuchadnezzar, on the ground that a higher moral law was at stake. It was practiced superbly by the early Christians, who were willing to face hungry lions and the excruciating pain of chopping blocks rather than submit to certain unjust laws of the Roman Empire. To a degree, academic freedom is a reality today because Socrates practiced civil disobedience. In our own nation, the Boston Tea Party represented a massive act of civil disobedience.

We should never forget that everything Adolf Hitler did in Germany was "legal" and everything the Hungarian freedom fighters did in Hungary was "illegal." It was "illegal" to aid and comfort a Jew in Hitler's Germany. Even so, I am sure that, had I

lived in Germany at the time, I would have aided and comforted my Jewish brothers. If today I lived in a Communist country where certain principles dear to the Christian faith are suppressed, I would openly advocate disobeying that country's anti-religious laws.

I must make two honest confessions to you, my Christian and Jewish brothers. First, I must confess that over the past few years I have been gravely disappointed with the white moderate. I have almost reached the regrettable conclusion that the Negro's great stumbling block in his stride toward freedom is not the White Citizen's Counciler or the Ku Klux Klanner, but the white moderate, who is more devoted to "order" than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says: "I agree with you in the goal you seek, but I cannot agree with your methods of direct action"; who paternalistically believes he can set the timetable for another man's freedom; who lives by a mythical concept of time and who constantly advises the Negro to wait for a "more convenient season." Shallow understanding from people of good will is more frustrating than absolute misunderstanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection.

I had hoped that the white moderate would understand that law and order exist for the purpose of establishing justice and that when they fail in this purpose they become the dangerously structured dams that block the flow of social progress. I had hoped that the white moderate would understand that the present tension in the South is a necessary phase of the transition from an obnoxious negative peace, in which the Negro passively accepted his unjust plight, to a substantive and positive peace, in which all men will respect the dignity and worth of human personality. Actually, we who engage in nonviolent direct action are not the creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open, where it can be seen and dealt with. Like a boil that can never be cured so long as it is covered up but must be opened with all its ugliness to the natural medicines of air and light, injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured.

In your statement you assert that our actions, even though peaceful, must be condemned because they precipitate violence. But is this a logical assertion? Isn't this like condemning a robbed man because his possession of money precipitated the evil act of robbery? Isn't this like condemning Socrates because his unswerving commitment to truth and his philosophical inquiries precipitated the act by the misguided populace in which they made him drink hemlock? Isn't this like condemning Jesus because his unique God consciousness and never ceasing devotion to God's will precipitated the evil act of crucifixion? We must come to see that, as the federal courts have consistently affirmed, it is wrong to urge an individual to cease his efforts to gain his basic constitutional rights because the quest may precipitate violence. Society must protect the robbed and punish the robber. I had also hoped that the white moderate would reject the myth concerning time in relation to the struggle for freedom. I have just received a letter from a white brother in Texas. He writes: "All Christians know that the colored people will receive equal rights eventually, but it is possible that you are in too great a religious hurry. It has taken Christianity almost two thousand years to accomplish what it has. The teachings of Christ take time to come to earth." Such an attitude stems from a tragic misconception of time, from the strangely irrational notion that there is something in the very flow of time that will inevitably cure all ills. Actually, time itself is neutral; it can be used either destructively or constructively. More and more I feel that the people of ill will have used time much more effectively than have the people of good will. We will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people. Human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be co workers with God, and without this hard work, time itself becomes an ally of the forces of social stagnation. We must use time creatively, in the knowledge that the time is always ripe to do right. Now is the time to make real the promise of democracy and transform our pending national elegy into a creative psalm of brotherhood. Now is the time to lift our national policy from the quicksand of racial injustice to the solid rock of human dignity.

You speak of our activity in Birmingham as extreme. At first I was rather disappointed that fellow clergymen would see my non-violent efforts as those of an extremist. I began thinking about the fact that I stand in the middle of two opposing forces in the

Negro community. One is a force of complacency, made up in part of Negroes who, as a result of long years of oppression, are so drained of self respect and a sense of "somebodiness" that they have adjusted to segregation; and in part of a few middle-class Negroes who, because of a degree of academic and economic security and because in some ways they profit by segregation, have become insensitive to the problems of the masses. The other force is one of bitterness and hatred, and it comes perilously close to advocating violence. It is expressed in the various black nationalist groups that are springing up across the nation, the largest and best known being Elijah Muhammad's Muslim movement. Nourished by the Negro's frustration over the continued existence of racial discrimination, this movement is made up of people who have lost faith in America, who have absolutely repudiated Christianity, and who have concluded that the white man is an incorrigible "devil."

I have tried to stand between these two forces, saying that we need emulate neither the "do nothingism" of the complacent nor the hatred and despair of the black nationalist. For there is the more excellent way of love and nonviolent protest. I am grateful to God that, through the influence of the Negro church, the way of nonviolence became an integral part of our struggle. If this philosophy had not emerged, by now many streets of the South would, I am convinced, be flowing with blood. And I am further convinced that if our white brothers dismiss as "rabble rousers" and "outside agitators" those of us who employ nonviolent direct action, and if they refuse to support our nonviolent efforts, millions of Negroes will, out of frustration and despair, seek solace and security in black nationalist ideologies--a development that would inevitably lead to a frightening racial nightmare.

Oppressed people cannot remain oppressed forever. The yearning for freedom eventually manifests itself, and that is what has happened to the American Negro. Something within has reminded him of his birthright of freedom, and something without has reminded him that it can be gained. Consciously or unconsciously, he has been caught up by the Zeitgeist, and with his black brothers of Africa and his brown and yellow brothers of Asia, South America and the Caribbean, the United States Negro is moving with a sense of great urgency toward the promised land of racial justice. If one recognizes this vital urge that has engulfed the Negro community, one should readily understand why public demonstrations are taking place. The Negro has many pent up resentments and latent frustrations, and he must release them. So let him march; let him make prayer pilgrimages to the city hall; let him go on freedom rides -and try to understand why he must do so. If his repressed emotions are not released in nonviolent ways, they will seek expression through violence; this is not a threat but a fact of history. So I have not said to my people: "Get rid of your discontent." Rather, I have tried to say that this normal and healthy discontent can be channeled into the creative outlet of nonviolent direct action. And now this approach is being termed extremist. But though I was initially disappointed at being categorized as an extremist, as I continued to think about the matter I gradually gained a measure of satisfaction from the label. Was not Jesus an extremist for love: "Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you." Was not Amos an extremist for justice: "Let justice roll down like waters and righteousness like an ever flowing stream." Was not Paul an extremist for the Christian gospel: "I bear in my body the marks of the Lord Jesus." Was not Martin Luther an extremist: "Here I stand; I cannot do otherwise, so help me God." And John Bunyan: "I will stay in jail to the end of my days before I make a butchery of my conscience." And Abraham Lincoln: "This nation cannot survive half slave and half free." And Thomas Jefferson: "We hold these truths to be self evident, that all men are created equal . . ." So the question is not whether we will be extremists, but what kind of extremists we will be. Will we be extremists for hate or for love? Will we be extremists for the preservation of injustice or for the extension of justice? In that dramatic scene on Calvary's hill three men were crucified. We must never forget that all three were crucified for the same crime--the crime of extremism. Two were extremists for immorality, and thus fell below their environment. The other, Jesus Christ, was an extremist for love, truth and goodness, and thereby rose above his environment. Perhaps the South, the nation and the world are in dire need of creative extremists.

I had hoped that the white moderate would see this need. Perhaps I was too optimistic; perhaps I expected too much. I suppose I should have realized that few members of the oppressor race can understand the deep groans and passionate yearnings of the oppressed race, and still fewer have the vision to see that injustice must be rooted out by strong, persistent and determined action. I am thankful, however, that some of our white brothers in the South have grasped the meaning of this social revolution

and committed themselves to it. They are still all too few in quantity, but they are big in quality. Some -such as Ralph McGill, Lillian Smith, Harry Golden, James McBride Dabbs, Ann Braden and Sarah Patton Boyle--have written about our struggle in eloquent and prophetic terms. Others have marched with us down nameless streets of the South. They have languished in filthy, roach infested jails, suffering the abuse and brutality of policemen who view them as "dirty nigger-lovers." Unlike so many of their moderate brothers and sisters, they have recognized the urgency of the moment and sensed the need for powerful "action" antidotes to combat the disease of segregation. Let me take note of my other major disappointment. I have been so greatly disappointed with the white church and its leadership. Of course, there are some notable exceptions. I am not unmindful of the fact that each of you has taken some significant stands on this issue. I commend you, Reverend Stallings, for your Christian stand on this past Sunday, in welcoming Negroes to your worship service on a nonsegregated basis. I commend the Catholic leaders of this state for integrating Spring Hill College several years ago.

But despite these notable exceptions, I must honestly reiterate that I have been disappointed with the church. I do not say this as one of those negative critics who can always find something wrong with the church. I say this as a minister of the gospel, who loves the church; who was nurtured in its bosom; who has been sustained by its spiritual blessings and who will remain true to it as long as the cord of life shall lengthen.

When I was suddenly catapulted into the leadership of the bus protest in Montgomery, Alabama, a few years ago, I felt we would be supported by the white church. I felt that the white ministers, priests and rabbis of the South would be among our strongest allies. Instead, some have been outright opponents, refusing to understand the freedom movement and misrepresenting its leaders; all too many others have been more cautious than courageous and have remained silent behind the anesthetizing security of stained glass windows.

In spite of my shattered dreams, I came to Birmingham with the hope that the white religious leadership of this community would see the justice of our cause and, with deep moral concern, would serve as the channel through which our just grievances could reach the power structure. I had hoped that each of you would understand. But again I have been disappointed.

I have heard numerous southern religious leaders admonish their worshipers to comply with a desegregation decision because it is the law, but I have longed to hear white ministers declare: "Follow this decree because integration is morally right and because the Negro is your brother." In the midst of blatant injustices inflicted upon the Negro, I have watched white churchmen stand on the sideline and mouth pious irrelevancies and sanctimonious trivialities. In the midst of a mighty struggle to rid our nation of racial and economic injustice, I have heard many ministers say: "Those are social issues, with which the gospel has no real concern." And I have watched many churches commit themselves to a completely other worldly religion which makes a strange, un-Biblical distinction between body and soul, between the sacred and the secular.

I have traveled the length and breadth of Alabama, Mississippi and all the other southern states. On sweltering summer days and crisp autumn mornings I have looked at the South's beautiful churches with their lofty spires pointing heavenward. I have beheld the impressive outlines of her massive religious education buildings. Over and over I have found myself asking: "What kind of people worship here? Who is their God? Where were their voices when the lips of Governor Barnett dripped with words of interposition and nullification? Where were they when Governor Wallace gave a clarion call for defiance and hatred? Where were their voices of support when bruised and weary Negro men and women decided to rise from the dark dungeons of complacency to the bright hills of creative protest?"

Yes, these questions are still in my mind. In deep disappointment I have wept over the laxity of the church. But be assured that my tears have been tears of love. There can be no deep disappointment where there is not deep love. Yes, I love the church. How could I do otherwise? I am in the rather unique position of being the son, the grandson and the great grandson of preachers. Yes, I see the church as the body of Christ. But, oh! How we have blemished and scarred that body through social neglect and through fear of being nonconformists.

There was a time when the church was very powerful--in the time when the early Christians rejoiced at being deemed worthy to suffer for what they believed. In those days the church was not merely a thermometer that recorded the ideas and principles of popular opinion; it was a thermostat that transformed the mores of society. Whenever the early Christians entered a town, the people in power became disturbed and immediately sought to convict the Christians for being "disturbers of the peace" and "outside agitators." But the Christians pressed on, in the conviction that they were "a colony of heaven," called to obey God rather than man. Small in number, they were big in commitment. They were too God-intoxicated to be "astronomically intimidated." By their effort and example they brought an end to such ancient evils as infanticide and gladiatorial contests. Things are different now. So often the contemporary church is a weak, ineffectual voice with an uncertain sound. So often it is an arch-defender of the status quo. Far from being disturbed by the presence of the church, the power structure of the average community is consoled by the church's silent--and often even vocal--sanction of things as they are.

But the judgment of God is upon the church as never before. If today's church does not recapture the sacrificial spirit of the early church, it will lose its authenticity, forfeit the loyalty of millions, and be dismissed as an irrelevant social club with no meaning for the twentieth century. Every day I meet young people whose disappointment with the church has turned into outright disgust.

Perhaps I have once again been too optimistic. Is organized religion too inextricably bound to the status quo to save our nation and the world? Perhaps I must turn my faith to the inner spiritual church, the church within the church, as the true ekklesia and the hope of the world. But again I am thankful to God that some noble souls from the ranks of organized religion have broken loose from the paralyzing chains of conformity and joined us as active partners in the struggle for freedom. They have left their secure congregations and walked the streets of Albany, Georgia, with us. They have gone down the highways of the South on tortuous rides for freedom. Yes, they have gone to jail with us. Some have been dismissed from their churches, have lost the support of their bishops and fellow ministers. But they have acted in the faith that right defeated is stronger than evil triumphant. Their witness has been the spiritual salt that has preserved the true meaning of the gospel in these troubled times. They have carved a tunnel of hope through the dark mountain of disappointment. I hope the church as a whole will meet the challenge of this decisive hour. But even if the church does not come to the aid of justice, I have no despair about the future. I have no fear about the outcome of our struggle in Birmingham, even if our motives are at present misunderstood. We will reach the goal of freedom in Birmingham and all over the nation, because the goal of America is freedom. Abused and scorned though we may be, our destiny is tied up with America's destiny. Before the pilgrims landed at Plymouth, we were here. Before the pen of Jefferson etched the majestic words of the Declaration of Independence across the pages of history, we were here. For more than two centuries our forebears labored in this country without wages; they made cotton king; they built the homes of their masters while suffering gross injustice and shameful humiliation--and yet out of a bottomless vitality they continued to thrive and develop. If the inexpressible cruelties of slavery could not stop us, the opposition we now face will surely fail. We will win our freedom because the sacred heritage of our nation and the eternal will of God are embodied in our echoing demands. Before closing I feel impelled to mention one other point in your statement that has troubled me profoundly. You warmly commended the Birmingham police force for keeping "order" and "preventing violence." I doubt that you would have so warmly commended the police force if you had seen its dogs sinking their teeth into unarmed, nonviolent Negroes. I doubt that you would so quickly commend the policemen if you were to observe their ugly and inhumane treatment of Negroes here in the city jail; if you were to watch them push and curse old Negro women and young Negro girls; if you were to see them slap and kick old Negro men and young boys; if you were to observe them, as they did on two occasions, refuse to give us food because we wanted to sing our grace together. I cannot join you in your praise of the Birmingham police department.

It is true that the police have exercised a degree of discipline in handling the demonstrators. In this sense they have conducted themselves rather "nonviolently" in public. But for what purpose? To preserve the evil system of segregation. Over the past few years I have consistently preached that nonviolence demands that the means we use must be as pure as the ends we seek. I have tried to make clear that it is wrong to use immoral means to attain moral ends. But now I must affirm that it is just as wrong, or

perhaps even more so, to use moral means to preserve immoral ends. Perhaps Mr. Connor and his policemen have been rather nonviolent in public, as was Chief Pritchett in Albany, Georgia, but they have used the moral means of nonviolence to maintain the immoral end of racial injustice. As T. S. Eliot has said: "The last temptation is the greatest treason: To do the right deed for the wrong reason."

I wish you had commended the Negro sit inners and demonstrators of Birmingham for their sublime courage, their willingness to suffer and their amazing discipline in the midst of great provocation. One day the South will recognize its real heroes. They will be the James Merediths, with the noble sense of purpose that enables them to face jeering and hostile mobs, and with the agonizing loneliness that characterizes the life of the pioneer. They will be old, oppressed, battered Negro women, symbolized in a seventy two year old woman in Montgomery, Alabama, who rose up with a sense of dignity and with her people decided not to ride segregated buses, and who responded with ungrammatical profundity to one who inquired about her weariness: "My feet is tired, but my soul is at rest." They will be the young high school and college students, the young ministers of the gospel and a host of their elders, courageously and nonviolently sitting in at lunch counters and willingly going to jail for conscience' sake. One day the South will know that when these disinherited children of God sat down at lunch counters, they were in reality standing up for what is best in the American dream and for the most sacred values in our Judaeo Christian heritage, thereby bringing our nation back to those great wells of democracy which were dug deep by the founding fathers in their formulation of the Constitution and the Declaration of Independence.

Never before have I written so long a letter. I'm afraid it is much too long to take your precious time. I can assure you that it would have been much shorter if I had been writing from a comfortable desk, but what else can one do when he is alone in a narrow jail cell, other than write long letters, think long thoughts and pray long prayers?

If I have said anything in this letter that overstates the truth and indicates an unreasonable impatience, I beg you to forgive me. If I have said anything that understates the truth and indicates my having a patience that allows me to settle for anything less than brotherhood, I beg God to forgive me.

I hope this letter finds you strong in the faith. I also hope that circumstances will soon make it possible for me to meet each of you, not as an integrationist or a civil-rights leader but as a fellow clergyman and a Christian brother. Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.

Yours for the cause of Peace and Brotherhood,

Martin Luther King, Jr.



THE BALLOT OR THE BULLET

MALCOLM X

**APRIL 3, 1964
CLEVELAND, OH**

Mr. Moderator, Brother Lomax, brothers and sisters, friends and enemies: I just can't believe everyone in here is a friend, and I don't want to leave anybody out. The question tonight, as I understand it, is "The Negro Revolt, and Where Do We Go From Here?" or "What Next?" In my little humble way of understanding it, it points toward either the ballot or the bullet.

Before we try and explain what is meant by the ballot or the bullet, I would like to clarify something concerning myself. I'm still a Muslim; my religion is still Islam. That's my personal belief. Just as Adam Clayton Powell is a Christian minister who heads the Abyssinian Baptist Church in New York, but at the same time takes part in the political struggles to try and bring about rights to the black people in this country; and Dr. Martin Luther King is a Christian minister down in Atlanta, Georgia, who heads another organization fighting for the civil rights of black people in this country; and Reverend Galamison, I guess you've heard of him, is another Christian minister in New York who has been deeply involved in the school boycotts to eliminate segregated education; well, I myself am a minister, not a Christian minister, but a Muslim minister; and I believe in action on all fronts by whatever means necessary.

Although I'm still a Muslim, I'm not here tonight to discuss my religion. I'm not here to try and change your religion. I'm not here to argue or discuss anything that we differ about, because it's time for us to submerge our differences and realize that it is best for us to first see that we have the same problem, a common problem, a problem that will make you catch hell whether you're a Baptist, or a Meth-

odist, or a Muslim, or a nationalist. Whether you're educated or illiterate, whether you live on the boulevard or in the alley, you're going to catch hell just like I am. We're all in the same boat and we all are going to catch the same hell from the same man. He just happens to be a white man. All of us have suffered here, in this country, political oppression at the hands of the white man, economic exploitation at the hands of the white man, and social degradation at the hands of the white man.

Now in speaking like this, it doesn't mean that we're anti-white, but it does mean we're anti-exploitation, we're anti-degradation, we're anti-oppression. And if the white man doesn't want us to be anti-him, let him stop oppressing and exploiting and degrading us. Whether we are Christians or Muslims or nationalists or agnostics or atheists, we must first learn to forget our differences. If we have differences, let us differ in the closet; when we come out in front, let us not have anything to argue about until we get finished arguing with the man. If the late President Kennedy could get together with Khrushchev and exchange some wheat, we certainly have more in common with each other than Kennedy and Khrushchev had with each other.

If we don't do something real soon, I think you'll have to agree that we're going to be forced either to use the ballot or the bullet. It's one or the other in 1964. It isn't that time is running out -- time has run out!

1964 threatens to be the most explosive year America has ever witnessed. The most explosive year. Why? It's also a political year. It's the year when all of the white politicians will be back in the so-called Negro community jiving you and me for some votes. The year when all of the white political crooks will be right back in your and my community with their false promises, building up our hopes for a letdown, with their trickery and their treachery, with their false promises which they don't intend to keep. As they nourish these dissatisfactions, it can only lead to one thing, an explosion; and now we have the type of black man on the scene in America today -- I'm sorry, Brother Lomax -- who just doesn't intend to turn the other cheek any longer.

Don't let anybody tell you anything about the odds are against you. If they draft you, they send you to Korea and make you face 800 million Chinese. If you can be brave over there, you can be brave right here. These odds aren't as great as those odds. And if you fight here, you will at least know what you're fighting for.

I'm not a politician, not even a student of politics; in fact, I'm not a student of much of anything. I'm not a Democrat. I'm not a Republican, and I don't even consider myself an American. If you and I were Americans, there'd be no problem. Those Honkies that just got off the boat, they're already Americans; Polacks are already Americans; the Italian refugees are already Americans. Everything that came out of Europe, every blue-eyed thing, is already an American. And as long as you and I have been over here, we aren't Americans yet.

Well, I am one who doesn't believe in deluding myself. I'm not going to sit at your table and watch you eat, with nothing on my plate, and call myself a diner. Sitting at the table doesn't make you a diner, unless you eat some of what's on that plate. Being here in America doesn't make you an American. Being born here in America doesn't make you an American. Why, if birth made you American, you wouldn't need any legislation; you wouldn't need any amendments to the Constitution; you wouldn't be faced with civil-rights filibustering in Washington, D.C., right now. They don't have to pass civil-rights legislation to make a Polack an American.

No, I'm not an American. I'm one of the 22 million black people who are the victims of Americanism. One of the 22 million black people who are the victims of democracy, nothing but disguised hypocrisy. So, I'm not standing here speaking to you as an American, or a patriot, or a flag-saluter, or a flag-waver -- no, not I. I'm speaking as a victim of this American system. And I see America through the eyes of the victim. I don't see any American dream; I see an American nightmare.

These 22 million victims are waking up. Their eyes are coming open. They're beginning to see what they used to only look at. They're becoming politically mature. They are realizing that there are new political trends from coast to coast. As they see these new political trends, it's possible for them to see that every time there's an election the races are so close that they have to have a recount. They had to recount in Massachusetts to see who was going to be governor, it was so close. It was the same way in

Rhode Island, in Minnesota, and in many other parts of the country. And the same with Kennedy and Nixon when they ran for president. It was so close they had to count all over again. Well, what does this mean? It means that when white people are evenly divided, and black people have a bloc of votes of their own, it is left up to them to determine who's going to sit in the White House and who's going to be in the dog house.

It was the black man's vote that put the present administration in Washington, D.C. Your vote, your dumb vote, your ignorant vote, your wasted vote put in an administration in Washington, D.C., that has seen fit to pass every kind of legislation imaginable, saving you until last, then filibustering on top of that. And your and my leaders have the audacity to run around clapping their hands and talk about how much progress we're making. And what a good president we have. If he wasn't good in Texas, he sure can't be good in Washington, D.C. Because Texas is a lynch state. It is in the same breath as Mississippi, no different; only they lynch you in Texas with a Texas accent and lynch you in Mississippi with a Mississippi accent. And these Negro leaders have the audacity to go and have some coffee in the White House with a Texan, a Southern cracker -- that's all he is -- and then come out and tell you and me that he's going to be better for us because, since he's from the South, he knows how to deal with the Southerners. What kind of logic is that? Let Eastland be president, he's from the South too. He should be better able to deal with them than Johnson.

In this present administration they have in the House of Representatives 257 Democrats to only 177 Republicans. They control two-thirds of the House vote. Why can't they pass something that will help you and me? In the Senate, there are 67 senators who are of the Democratic Party. Only 33 of them are Republicans. Why, the Democrats have got the government sewed up, and you're the one who sewed it up for them. And what have they given you for it? Four years in office, and just now getting around to some civil-rights legislation. Just now, after everything else is gone, out of the way, they're going to sit down now and play with you all summer long -- the same old giant con game that they call filibuster. All those are in cahoots together. Don't you ever think they're not in cahoots together, for the man that is heading the civil-rights filibuster is a man from Georgia named Richard Russell. When Johnson became president, the first man he asked for when he got back to Washington, D.C., was "Dicky" -- that's how tight they are. That's his boy, that's his pal, that's his buddy. But they're playing that old con game. One of them makes believe he's for you, and he's got it fixed where the other one is so tight against you, he never has to keep his promise.

So it's time in 1964 to wake up. And when you see them coming up with that kind of conspiracy, let them know your eyes are open. And let them know you -- something else that's wide open too. It's got to be the ballot or the bullet. The ballot or the bullet. If you're afraid to use an expression like that, you should get on out of the country; you should get back in the cotton patch; you should get back in the alley. They get all the Negro vote, and after they get it, the Negro gets nothing in return. All they did when they got to Washington was give a few big Negroes big jobs. Those big Negroes didn't need big jobs, they already had jobs. That's camouflage, that's trickery, that's treachery, window-dressing. I'm not trying to knock out the Democrats for the Republicans. We'll get to them in a minute. But it is true; you put the Democrats first and the Democrats put you last.

Look at it the way it is. What alibis do they use, since they control Congress and the Senate? What alibi do they use when you and I ask, "Well, when are you going to keep your promise?" They blame the Dixiecrats. What is a Dixiecrat? A Democrat. A Dixiecrat is nothing but a Democrat in disguise. The titular head of the Democrats is also the head of the Dixiecrats, because the Dixiecrats are a part of the Democratic Party. The Democrats have never kicked the Dixiecrats out of the party. The Dixiecrats bolted themselves once, but the Democrats didn't put them out. Imagine, these lowdown Southern segregationists put the Northern Democrats down. But the Northern Democrats have never put the Dixiecrats down. No, look at that thing the way it is. They have got a con game going on, a political con game, and you and I are in the middle. It's time for you and me to wake up and start looking at it like it is, and trying to understand it like it is; and then we can deal with it like it is.

The Dixiecrats in Washington, D.C., control the key committees that run the government. The only reason the Dixiecrats control these committees is because they have seniority. The only reason they have seniority is because they come from states where Ne-

groes can't vote. This is not even a government that's based on democracy. It is not a government that is made up of representatives of the people. Half of the people in the South can't even vote. Eastland is not even supposed to be in Washington. Half of the senators and congressmen who occupy these key positions in Washington, D.C., are there illegally, are there unconstitutionally.

I was in Washington, D.C., a week ago Thursday, when they were debating whether or not they should let the bill come onto the floor. And in the back of the room where the Senate meets, there's a huge map of the United States, and on that map it shows the location of Negroes throughout the country. And it shows that the Southern section of the country, the states that are most heavily concentrated with Negroes, are the ones that have senators and congressmen standing up filibustering and doing all other kinds of trickery to keep the Negro from being able to vote. This is pitiful. But it's not pitiful for us any longer; it's actually pitiful for the white man, because soon now, as the Negro awakens a little more and sees the vise that he's in, sees the bag that he's in, sees the real game that he's in, then the Negro's going to develop a new tactic.

These senators and congressmen actually violate the constitutional amendments that guarantee the people of that particular state or county the right to vote. And the Constitution itself has within it the machinery to expel any representative from a state where the voting rights of the people are violated. You don't even need new legislation. Any person in Congress right now, who is there from a state or a district where the voting rights of the people are violated, that particular person should be expelled from Congress. And when you expel him, you've removed one of the obstacles in the path of any real meaningful legislation in this country. In fact, when you expel them, you don't need new legislation, because they will be replaced by black representatives from counties and districts where the black man is in the majority, not in the minority.

If the black man in these Southern states had his full voting rights, the key Dixiecrats in Washington, D. C., which means the key Democrats in Washington, D.C., would lose their seats. The Democratic Party itself would lose its power. It would cease to be powerful as a party. When you see the amount of power that would be lost by the Democratic Party if it were to lose the Dixiecrat wing, or branch, or element, you can see where it's against the interests of the Democrats to give voting rights to Negroes in states where the Democrats have been in complete power and authority ever since the Civil War. You just can't belong to that Party without analyzing it.

I say again, I'm not anti-Democrat, I'm not anti-Republican, I'm not anti-anything. I'm just questioning their sincerity, and some of the strategy that they've been using on our people by promising them promises that they don't intend to keep. When you keep the Democrats in power, you're keeping the Dixiecrats in power. I doubt that my good Brother Lomax will deny that. A vote for a Democrat is a vote for a Dixiecrat. That's why, in 1964, it's time now for you and me to become more politically mature and realize what the ballot is for; what we're supposed to get when we cast a ballot; and that if we don't cast a ballot, it's going to end up in a situation where we're going to have to cast a bullet. It's either a ballot or a bullet.

In the North, they do it a different way. They have a system that's known as gerrymandering, whatever that means. It means when Negroes become too heavily concentrated in a certain area, and begin to gain too much political power, the white man comes along and changes the district lines. You may say, "Why do you keep saying white man?" Because it's the white man who does it. I haven't ever seen any Negro changing any lines. They don't let him get near the line. It's the white man who does this. And usually, it's the white man who grins at you the most, and pats you on the back, and is supposed to be your friend. He may be friendly, but he's not your friend.

So, what I'm trying to impress upon you, in essence, is this: You and I in America are faced not with a segregationist conspiracy, we're faced with a government conspiracy. Everyone who's filibustering is a senator -- that's the government. Everyone who's finagling in Washington, D.C., is a congressman -- that's the government. You don't have anybody putting blocks in your path but people who are a part of the government. The same government that you go abroad to fight for and die for is the government that is in a conspiracy to deprive you of your voting rights, deprive you of your economic opportunities, deprive you of

decent housing, deprive you of decent education. You don't need to go to the employer alone, it is the government itself, the government of America, that is responsible for the oppression and exploitation and degradation of black people in this country. And you should drop it in their lap. This government has failed the Negro. This so-called democracy has failed the Negro. And all these white liberals have definitely failed the Negro.

So, where do we go from here? First, we need some friends. We need some new allies. The entire civil-rights struggle needs a new interpretation, a broader interpretation. We need to look at this civil-rights thing from another angle -- from the inside as well as from the outside. To those of us whose philosophy is black nationalism, the only way you can get involved in the civil-rights struggle is give it a new interpretation. That old interpretation excluded us. It kept us out. So, we're giving a new interpretation to the civil-rights struggle, an interpretation that will enable us to come into it, take part in it. And these handkerchief-heads who have been dillydallying and pussy footing and compromising -- we don't intend to let them pussyfoot and dillydally and compromise any longer.

How can you thank a man for giving you what's already yours? How then can you thank him for giving you only part of what's already yours? You haven't even made progress, if what's being given to you, you should have had already. That's not progress. And I love my Brother Lomax, the way he pointed out we're right back where we were in 1954. We're not even as far up as we were in 1954. We're behind where we were in 1954. There's more segregation now than there was in 1954. There's more racial animosity, more racial hatred, more racial violence today in 1964, than there was in 1954. Where is the progress?

And now you're facing a situation where the young Negro's coming up. They don't want to hear that "turn the-other-cheek" stuff, no. In Jacksonville, those were teenagers, they were throwing Molotov cocktails. Negroes have never done that before. But it shows you there's a new deal coming in. There's new thinking coming in. There's new strategy coming in. It'll be Molotov cocktails this month, hand grenades next month, and something else next month. It'll be ballots, or it'll be bullets. It'll be liberty, or it will be death. The only difference about this kind of death -- it'll be reciprocal. You know what is meant by "reciprocal"? That's one of Brother Lomax's words. I stole it from him. I don't usually deal with those big words because I don't usually deal with big people. I deal with small people. I find you can get a whole lot of small people and whip hell out of a whole lot of big people. They haven't got anything to lose, and they've got every thing to gain. And they'll let you know in a minute: "It takes two to tango; when I go, you go."

The black nationalists, those whose philosophy is black nationalism, in bringing about this new interpretation of the entire meaning of civil rights, look upon it as meaning, as Brother Lomax has pointed out, equality of opportunity. Well, we're justified in seeking civil rights, if it means equality of opportunity, because all we're doing there is trying to collect for our investment. Our mothers and fathers invested sweat and blood. Three hundred and ten years we worked in this country without a dime in return -- I mean without a dime in return. You let the white man walk around here talking about how rich this country is, but you never stop to think how it got rich so quick. It got rich because you made it rich.

You take the people who are in this audience right now. They're poor. We're all poor as individuals. Our weekly salary individually amounts to hardly anything. But if you take the salary of everyone in here collectively, it'll fill up a whole lot of baskets. It's a lot of wealth. If you can collect the wages of just these people right here for a year, you'll be rich -- richer than rich. When you look at it like that, think how rich Uncle Sam had to become, not with this handful, but millions of black people. Your and my mother and father, who didn't work an eight-hour shift, but worked from "can't see" in the morning until "can't see" at night, and worked for nothing, making the white man rich, making Uncle Sam rich. This is our investment. This is our contribution, our blood.

Not only did we give of our free labor, we gave of our blood. Every time he had a call to arms, we were the first ones in uniform. We died on every battlefield the white man had. We have made a greater sacrifice than anybody who's standing up in

America today. We have made a greater contribution and have collected less. Civil rights, for those of us whose philosophy is black nationalism, means: "Give it to us now. Don't wait for next year. Give it to us yesterday, and that's not fast enough."

I might stop right here to point out one thing. Whenever you're going after something that belongs to you, anyone who's depriving you of the right to have it is a criminal. Understand that. Whenever you are going after something that is yours, you are within your legal rights to lay claim to it. And anyone who puts forth any effort to deprive you of that which is yours, is breaking the law, is a criminal. And this was pointed out by the Supreme Court decision. It outlawed segregation.

Which means segregation is against the law. Which means a segregationist is breaking the law. A segregationist is a criminal. You can't label him as anything other than that. And when you demonstrate against segregation, the law is on your side. The Supreme Court is on your side.

Now, who is it that opposes you in carrying out the law? The police department itself. With police dogs and clubs. Whenever you demonstrate against segregation, whether it is segregated education, segregated housing, or anything else, the law is on your side, and anyone who stands in the way is not the law any longer. They are breaking the law; they are not representatives of the law. Any time you demonstrate against segregation and a man has the audacity to put a police dog on you, kill that dog, kill him, I'm telling you, kill that dog. I say it, if they put me in jail tomorrow, kill that dog. Then you'll put a stop to it. Now, if these white people in here don't want to see that kind of action, get down and tell the mayor to tell the police department to pull the dogs in. That's all you have to do. If you don't do it, someone else will.

If you don't take this kind of stand, your little children will grow up and look at you and think "shame." If you don't take an uncompromising stand, I don't mean go out and get violent; but at the same time you should never be nonviolent unless you run into some nonviolence. I'm nonviolent with those who are nonviolent with me. But when you drop that violence on me, then you've made me go insane, and I'm not responsible for what I do. And that's the way every Negro should get. Any time you know you're within the law, within your legal rights, within your moral rights, in accord with justice, then die for what you believe in. But don't die alone. Let your dying be reciprocal. This is what is meant by equality. What's good for the goose is good for the gander.

When we begin to get in this area, we need new friends, we need new allies. We need to expand the civil-rights struggle to a higher level -- to the level of human rights. Whenever you are in a civil-rights struggle, whether you know it or not, you are confining yourself to the jurisdiction of Uncle Sam. No one from the outside world can speak out in your behalf as long as your struggle is a civil-rights struggle. Civil rights comes within the domestic affairs of this country. All of our African brothers and our Asian brothers and our Latin-American brothers cannot open their mouths and interfere in the domestic affairs of the United States. And as long as it's civil rights, this comes under the jurisdiction of Uncle Sam.

But the United Nations has what's known as the charter of human rights; it has a committee that deals in human rights. You may wonder why all of the atrocities that have been committed in Africa and in Hungary and in Asia, and in Latin America are brought before the UN, and the Negro problem is never brought before the UN. This is part of the conspiracy. This old, tricky blue eyed liberal who is supposed to be your and my friend, supposed to be in our corner, supposed to be subsidizing our struggle, and supposed to be acting in the capacity of an adviser, never tells you anything about human rights. They keep you wrapped up in civil rights. And you spend so much time barking up the civil-rights tree, you don't even know there's a human-rights tree on the same floor.

When you expand the civil-rights struggle to the level of human rights, you can then take the case of the black man in this country before the nations in the UN. You can take it before the General Assembly. You can take Uncle Sam before a world court. But the only level you can do it on is the level of human rights. Civil rights keeps you under his restrictions, under his jurisdiction. Civil rights keeps you in his pocket. Civil rights means you're asking Uncle Sam to treat you right. Human rights are something

you were born with. Human rights are your God-given rights. Human rights are the rights that are recognized by all nations of this earth. And any time any one violates your human rights, you can take them to the world court.

Uncle Sam's hands are dripping with blood, dripping with the blood of the black man in this country. He's the earth's number-one hypocrite. He has the audacity -- yes, he has -- imagine him posing as the leader of the free world. The free world! And you over here singing "We Shall Overcome." Expand the civil-rights struggle to the level of human rights. Take it into the United Nations, where our African brothers can throw their weight on our side, where our Asian brothers can throw their weight on our side, where our Latin-American brothers can throw their weight on our side, and where 800 million Chinamen are sitting there waiting to throw their weight on our side.

Let the world know how bloody his hands are. Let the world know the hypocrisy that's practiced over here. Let it be the ballot or the bullet. Let him know that it must be the ballot or the bullet.

When you take your case to Washington, D.C., you're taking it to the criminal who's responsible; it's like running from the wolf to the fox. They're all in cahoots together. They all work political chicanery and make you look like a chump before the eyes of the world. Here you are walking around in America, getting ready to be drafted and sent abroad, like a tin soldier, and when you get over there, people ask you what are you fighting for, and you have to stick your tongue in your cheek. No, take Uncle Sam to court, take him before the world.

By ballot I only mean freedom. Don't you know -- I disagree with Lomax on this issue -- that the ballot is more important than the dollar? Can I prove it? Yes. Look in the UN. There are poor nations in the UN; yet those poor nations can get together with their voting power and keep the rich nations from making a move. They have one nation -- one vote, everyone has an equal vote. And when those brothers from Asia, and Africa and the darker parts of this earth get together, their voting power is sufficient to hold Sam in check. Or Russia in check. Or some other section of the earth in check. So, the ballot is most important.

Right now, in this country, if you and I, 22 million African-Americans -- that's what we are -- Africans who are in America. You're nothing but Africans. Nothing but Africans. In fact, you'd get farther calling yourself African instead of Negro. Africans don't catch hell. You're the only one catching hell. They don't have to pass civil-rights bills for Africans. An African can go anywhere he wants right now. All you've got to do is tie your head up. That's right, go anywhere you want. Just stop being a Negro. Change your name to Hoogagagooba. That'll show you how silly the white man is. You're dealing with a silly man. A friend of mine who's very dark put a turban on his head and went into a restaurant in Atlanta before they called themselves desegregated. He went into a white restaurant, he sat down, they served him, and he said, "What would happen if a Negro came in here? And there he's sitting, black as night, but because he had his head wrapped up the waitress looked back at him and says, "Why, there wouldn't no nigger dare come in here."

So, you're dealing with a man whose bias and prejudice are making him lose his mind, his intelligence, every day. He's frightened. He looks around and sees what's taking place on this earth, and he sees that the pendulum of time is swinging in your direction. The dark people are waking up. They're losing their fear of the white man. No place where he's fighting right now is he winning. Everywhere he's fighting, he's fighting someone your and my complexion. And they're beating him. He can't win any more. He's won his last battle. He failed to win the Korean War. He couldn't win it. He had to sign a truce. That's a loss.

Any time Uncle Sam, with all his machinery for warfare, is held to a draw by some rice eaters, he's lost the battle. He had to sign a truce. America's not supposed to sign a truce. She's supposed to be bad. But she's not bad any more. She's bad as long as she can use her hydrogen bomb, but she can't use hers for fear Russia might use hers. Russia can't use hers, for fear that Sam might use his. So, both of them are weapon-less. They can't use the weapon because each's weapon nullifies the other's. So the only place where action can take place is on the ground. And the white man can't win another war fighting on the ground. Those days are over The black man knows it, the brown man knows it, the red man knows it, and the yellow man knows it. So they

engage him in guerrilla warfare. That's not his style. You've got to have heart to be a guerrilla warrior, and he hasn't got any heart. I'm telling you now.

I just want to give you a little briefing on guerrilla warfare because, before you know it, before you know it. It takes heart to be a guerrilla warrior because you're on your own. In conventional warfare you have tanks and a whole lot of other people with you to back you up -- planes over your head and all that kind of stuff. But a guerrilla is on his own. All you have is a rifle, some sneakers and a bowl of rice, and that's all you need -- and a lot of heart. The Japanese on some of those islands in the Pacific, when the American soldiers landed, one Japanese sometimes could hold the whole army off. He'd just wait until the sun went down, and when the sun went down they were all equal. He would take his little blade and slip from bush to bush, and from American to American. The white soldiers couldn't cope with that. Whenever you see a white soldier that fought in the Pacific, he has the shakes, he has a nervous condition, because they scared him to death.

The same thing happened to the French up in French Indochina. People who just a few years previously were rice farmers got together and ran the heavily-mechanized French army out of Indochina. You don't need it -- modern warfare today won't work. This is the day of the guerrilla. They did the same thing in Algeria. Algerians, who were nothing but Bedouins, took a rifle and sneaked off to the hills, and de Gaulle and all of his highfalutin' war machinery couldn't defeat those guerrillas. Nowhere on this earth does the white man win in a guerrilla warfare. It's not his speed. Just as guerrilla warfare is prevailing in Asia and in parts of Africa and in parts of Latin America, you've got to be mighty naive, or you've got to play the black man cheap, if you don't think some day he's going to wake up and find that it's got to be the ballot or the bullet.

I would like to say, in closing, a few things concerning the Muslim Mosque, Inc., which we established recently in New York City. It's true we're Muslims and our religion is Islam, but we don't mix our religion with our politics and our economics and our social and civil activities -- not any more. We keep our religion in our mosque. After our religious services are over, then as Muslims we become involved in political action, economic action and social and civic action. We become involved with anybody, any where, any time and in any manner that's designed to eliminate the evils, the political, economic and social evils that are afflicting the people of our community.

The political philosophy of black nationalism means that the black man should control the politics and the politicians in his own community; no more. The black man in the black community has to be re-educated into the science of politics so he will know what politics is supposed to bring him in return. Don't be throwing out any ballots. A ballot is like a bullet. You don't throw your ballots until you see a target, and if that target is not within your reach, keep your ballot in your pocket.

The political philosophy of black nationalism is being taught in the Christian church. It's being taught in the NAACP. It's being taught in CORE meetings. It's being taught in SNCC Student Nonviolent Coordinating Committee meetings. It's being taught in Muslim meetings. It's being taught where nothing but atheists and agnostics come together. It's being taught everywhere. Black people are fed up with the dillydallying, pussyfooting, compromising approach that we've been using toward getting our freedom. We want freedom now, but we're not going to get it saying "We Shall Overcome." We've got to fight until we overcome.

The economic philosophy of black nationalism is pure and simple. It only means that we should control the economy of our community. Why should white people be running all the stores in our community? Why should white people be running the banks of our community? Why should the economy of our community be in the hands of the white man? Why? If a black man can't move his store into a white community, you tell me why a white man should move his store into a black community. The philosophy of black nationalism involves a re-education program in the black community in regards to economics. Our people have to be made to see that any time you take your dollar out of your community and spend it in a community where you don't live, the community where you live will get poorer and poorer, and the community where you spend your money will get richer and richer.

Then you wonder why where you live is always a ghetto or a slum area. And where you and I are concerned, not only do we lose it when we spend it out of the community, but the white man has got all our stores in the community tied up; so that though we spend it in the community, at sundown the man who runs the store takes it over across town somewhere. He's got us in a vise. So the economic philosophy of black nationalism means in every church, in every civic organization, in every fraternal order, it's time now for our people to become conscious of the importance of controlling the economy of our community. If we own the stores, if we operate the businesses, if we try and establish some industry in our own community, then we're developing to the position where we are creating employment for our own kind. Once you gain control of the economy of your own community, then you don't have to picket and boycott and beg some cracker downtown for a job in his business.

The social philosophy of black nationalism only means that we have to get together and remove the evils, the vices, alcoholism, drug addiction, and other evils that are destroying the moral fiber of our community. We ourselves have to lift the level of our community, the standard of our community to a higher level, make our own society beautiful so that we will be satisfied in our own social circles and won't be running around here trying to knock our way into a social circle where we're not wanted. So I say, in spreading a gospel such as black nationalism, it is not designed to make the black man re-evaluate the white man -- you know him already -- but to make the black man re-evaluate himself. Don't change the white man's mind -- you can't change his mind, and that whole thing about appealing to the moral conscience of America -- America's conscience is bankrupt. She lost all conscience a long time ago. Uncle Sam has no conscience.

They don't know what morals are. They don't try and eliminate an evil because it's evil, or because it's illegal, or because it's immoral; they eliminate it only when it threatens their existence. So you're wasting your time appealing to the moral conscience of a bankrupt man like Uncle Sam. If he had a conscience, he'd straighten this thing out with no more pressure being put upon him. So it is not necessary to change the white man's mind. We have to change our own mind. You can't change his mind about us. We've got to change our own minds about each other. We have to see each other with new eyes. We have to see each other as brothers and sisters. We have to come together with warmth so we can develop unity and harmony that's necessary to get this problem solved ourselves. How can we do this? How can we avoid jealousy? How can we avoid the suspicion and the divisions that exist in the community? I'll tell you how.

I have watched how Billy Graham comes into a city, spreading what he calls the gospel of Christ, which is only white nationalism. That's what he is. Billy Graham is a white nationalist; I'm a black nationalist. But since it's the natural tendency for leaders to be jealous and look upon a powerful figure like Graham with suspicion and envy, how is it possible for him to come into a city and get all the cooperation of the church leaders? Don't think because they're church leaders that they don't have weaknesses that make them envious and jealous -- no, everybody's got it. It's not an accident that when they want to choose a cardinal, as Pope I over there in Rome, they get in a closet so you can't hear them cussing and fighting and carrying on.

Billy Graham comes in preaching the gospel of Christ. He evangelizes the gospel. He stirs everybody up, but he never tries to start a church. If he came in trying to start a church, all the churches would be against him. So, he just comes in talking about Christ and tells everybody who gets Christ to go to any church where Christ is; and in this way the church cooperates with him. So we're going to take a page from his book.

Our gospel is black nationalism. We're not trying to threaten the existence of any organization, but we're spreading the gospel of black nationalism. Anywhere there's a church that is also preaching and practicing the gospel of black nationalism, join that church. If the NAACP is preaching and practicing the gospel of black nationalism, join the NAACP. If CORE is spreading and practicing the gospel of black nationalism, join CORE. Join any organization that has a gospel that's for the uplift of the black man. And when you get into it and see them pussyfooting or compromising, pull out of it because that's not black nationalism. We'll find another one.

And in this manner, the organizations will increase in number and in quantity and in quality, and by August, it is then our intention to have a black nationalist convention which will consist of delegates from all over the country who are interested in the political, economic and social philosophy of black nationalism. After these delegates convene, we will hold a seminar; we will hold discussions; we will listen to everyone. We want to hear new ideas and new solutions and new answers. And at that time, if we see fit then to form a black nationalist party, we'll form a black nationalist party. If it's necessary to form a black nationalist army, we'll form a black nationalist army. It'll be the ballot or the bullet. It'll be liberty or it'll be death.

It's time for you and me to stop sitting in this country, letting some cracker senators, Northern crackers and Southern crackers, sit there in Washington, D.C., and come to a conclusion in their mind that you and I are supposed to have civil rights. There's no white man going to tell me anything about my rights. Brothers and sisters, always remember, if it doesn't take senators and congressmen and presidential proclamations to give freedom to the white man, it is not necessary for legislation or proclamation or Supreme Court decisions to give freedom to the black man. You let that white man know, if this is a country of freedom, let it be a country of freedom; and if it's not a country of freedom, change it.

We will work with anybody, anywhere, at any time, who is genuinely interested in tackling the problem head-on, nonviolently as long as the enemy is nonviolent, but violent when the enemy gets violent. We'll work with you on the voter-registration drive, we'll work with you on rent strikes, we'll work with you on school boycotts; I don't believe in any kind of integration; I'm not even worried about it, because I know you're not going to get it anyway; you're not going to get it because you're afraid to die; you've got to be ready to die if you try and force yourself on the white man, because he'll get just as violent as those crackers in Mississippi, right here in Cleveland. But we will still work with you on the school boycotts because we're against a segregated school system. A segregated school system produces children who, when they graduate, graduate with crippled minds. But this does not mean that a school is segregated because it's all black. A segregated school means a school that is controlled by people who have no real interest in it whatsoever.

Let me explain what I mean. A segregated district or community is a community in which people live, but outsiders control the politics and the economy of that community. They never refer to the white section as a segregated community. It's the all-Negro section that's a segregated community. Why? The white man controls his own school, his own bank, his own economy, his own politics, his own everything, his own community; but he also controls yours. When you're under someone else's control, you're segregated. They'll always give you the lowest or the worst that there is to offer, but it doesn't mean you're segregated just because you have your own. You've got to control your own. Just like the white man has control of his, you need to control yours.

You know the best way to get rid of segregation? The white man is more afraid of separation than he is of integration. Segregation means that he puts you away from him, but not far enough for you to be out of his jurisdiction; separation means you're gone. And the white man will integrate faster than he'll let you separate. So we will work with you against the segregated school system because it's criminal, because it is absolutely destructive, in every way imaginable, to the minds of the children who have to be exposed to that type of crippling education.

Last but not least, I must say this concerning the great controversy over rifles and shotguns. The only thing that I've ever said is that in areas where the government has proven itself either unwilling or unable to defend the lives and the property of Negroes, it's time for Negroes to defend themselves. Article number two of the constitutional amendments provides you and me the right to own a rifle or a shotgun. It is constitutionally legal to own a shotgun or a rifle. This doesn't mean you're going to get a rifle and form battalions and go out looking for white folks, although you'd be within your rights -- I mean, you'd be justified; but that would be illegal and we don't do anything illegal. If the white man doesn't want the black man buying rifles and shotguns, then let the government do its job.

That's all. And don't let the white man come to you and ask you what you think about what Malcolm says -- why, you old Uncle Tom. He would never ask you if he thought you were going to say, "Amen!" No, he is making a Tom out of you." So, this doesn't

mean forming rifle clubs and going out looking for people, but it is time, in 1964, if you are a man, to let that man know. If he's not going to do his job in running the government and providing you and me with the protection that our taxes are supposed to be for, since he spends all those billions for his defense budget, he certainly can't begrudge you and me spending \$12 or \$15 for a single-shot, or double-action. I hope you understand. Don't go out shooting people, but any time -- brothers and sisters, and especially the men in this audience; some of you wearing Congressional Medals of Honor, with shoulders this wide, chests this big, muscles that big -- any time you and I sit around and read where they bomb a church and murder in cold blood, not some grownups, but four little girls while they were praying to the same God the white man taught them to pray to, and you and I see the government go down and can't find who did it.

Why, this man -- he can find Eichmann hiding down in Argentina somewhere. Let two or three American soldiers, who are minding somebody else's business way over in South Vietnam, get killed, and he'll send battleships, sticking his nose in their business. He wanted to send troops down to Cuba and make them have what he calls free elections -- this old cracker who doesn't have free elections in his own country.

No, if you never see me another time in your life, if I die in the morning, I'll die saying one thing: the ballot or the bullet, the ballot or the bullet.

If a Negro in 1964 has to sit around and wait for some cracker senator to filibuster when it comes to the rights of black people, why, you and I should hang our heads in shame. You talk about a march on Washington in 1963, you haven't seen anything. There's some more going down in '64.

And this time they're not going like they went last year. They're not going singing "We Shall Overcome." They're not going with white friends. They're not going with placards already painted for them. They're not going with round-trip tickets. They're going with one way tickets. And if they don't want that non-nonviolent army going down there, tell them to bring the filibuster to a halt.

The black nationalists aren't going to wait. Lyndon B. Johnson is the head of the Democratic Party. If he's for civil rights, let him go into the Senate next week and declare himself. Let him go in there right now and declare himself. Let him go in there and denounce the Southern branch of his party. Let him go in there right now and take a moral stand -- right now, not later. Tell him, don't wait until election time. If he waits too long, brothers and sisters, he will be responsible for letting a condition develop in this country which will create a climate that will bring seeds up out of the ground with vegetation on the end of them looking like something these people never dreamed of. In 1964, it's the ballot or the bullet.

Thank you.



DAY OF
AFFIRMATION
ADDRESS
UNIVERSITY OF
CAPE TOWN

SENATOR
ROBERT F. KENNEDY
(D-NEW YORK)

JUNE 6, 1966
CAPE TOWN, SOUTH AFRICA

Often overshadowed by his older brother, Bobby Kennedy also brought a sense of idealism to American politics. In this speech, RFK addressed continuing issues in the United States as a way to subtly critique Apartheid without getting all media coverage banned by the S.A. government.

Mr. Chancellor, Mr. Vice Chancellor, Professor Robertson, Mr. Diamond, Mr. Daniel, and Ladies and Gentlemen:

I come here this evening because of my deep interest and affection for a land settled by the Dutch in the mid-seventeenth century, then taken over by the British, and at last independent; a land in which the native inhabitants were at first subdued, but relations with whom remain a problem to this day; a land which defined itself on a hostile frontier; a land which has tamed rich natural resources through the energetic application of modern technology; a land which once the importer of slaves, and now must struggle to wipe out the last traces of that former bondage. I refer, of course, to the United States of America.

But I am glad to come here -- and my wife and I and all of our party are glad to come here to South Africa, and we're glad to come to Cape Town. I am already greatly enjoying my stay and my visit here. I am making an effort to meet and exchange views with people of all walks of life, and all segments of South African opinion, including those who represent the views of the government.

Today I am glad to meet with the National Union of South African Students. For a decade, NUSAS has stood and worked for the principles of the Universal Declaration of Human Rights -- principles which embody the collective hopes of men of good will all around the globe. Your work at home and in international student affairs has brought great credit to yourselves and to your country. I know the National Student Association in the United States feels a particularly close relationship with this organization.

And I wish to thank especially Mr. Ian Robertson, who first extended the invitation on behalf of NUSAS. I wish to thank him for his kindness to me in inviting me. I am very sorry that he can not be with us here this evening. I was happy to have had the opportunity to meet and speak with him earlier this evening. And I presented him with a copy of Profiles in Courage which was a book that was written by President John Kennedy and was signed to him by President Kennedy's widow, Mrs. John Kennedy.

This is a Day of Affirmation, a celebration of liberty. We stand here in the name of freedom. At the heart of that Western freedom and democracy is the belief that the individual man, the child of God, is the touchstone of value, and all society, all groups and states exist for that person's benefit. Therefore, the enlargement of liberty for individual human beings must be the supreme goal and the abiding practice of any Western society.

The first element of this individual liberty is the freedom of speech: the right to express and communicate ideas, to set oneself apart from the dumb beasts of field and forest; the right to recall governments to their duties and to their obligations; above all, the right to affirm one's membership and allegiance to the body politic -- to society -- to the men with whom we share our land, our heritage, and our children's future.

Hand in hand with freedom of speech goes the power to be heard, to share in the decisions of government which shape men's lives. Everything that makes man's life worthwhile -- family, work, education, a place to rear one's children and a place to rest one's head -- all this depends on the decisions of government; all can be swept away by a government which does not heed the demands of its people, and I mean all of its people. Therefore, the essential humanity of man can be protected and preserved only where government must answer -- not just to the wealthy, not just to those of a particular religion, not just to those of a particular race, but to all of the people.

And even government by the consent of the governed, as in our own Constitution, must be limited in its power to act against its people, so that there may be no interference with the right to worship, but also no interference with the security of the home; no arbitrary imposition of pains or penalties on an ordinary citizen by officials high or low; no restriction on the freedom of men to seek education, or to seek work or opportunity of any kind, so that each man may become all that he is capable of becoming.

These -- These are the sacred rights of Western society. These were the essential differences between us and Nazi Germany, as they were between Athens and Persia.

They are the essence of our differences with communism today. I am unalterably opposed to communism because it exalts the State over the individual and over the family; and because its system contains a lack of freedom of speech, of protest, of religion, and of the press, which is characteristic of a totalitarian regime. The way of opposition to communism, however, is not to imitate its dictatorship, but to enlarge individual human freedoms.

There are those in every land who would label as Communist every threat to their privilege. But may I say to you as I have seen on my travels in all sections of the world, reform is not communism. And the denial of freedom, in whatever name, only strengthens the very communism it claims to oppose.

Many nations have set forth their own definitions and declarations of these principles. And there have often been wide and tragic gaps between promise and performance, ideal and reality. Yet the great ideals have constantly recalled us to our own duties. And with painful slowness, we in the United States have extended and enlarged the meaning and the practice of freedom to all of our people.

For two centuries, my own country has struggled to overcome the self-imposed handicap of prejudice and discrimination based on nationality, on social class or race -- discrimination profoundly repugnant to the theory and to the command of our Constitution. Even as my father grew up in Boston, Massachusetts, signs told him: "No Irish Need Apply." Two generations later President Kennedy became the first Irish Catholic, and the first Catholic, to head the nation; but how many men of ability had, before 1961, been denied the opportunity to contribute to the nation's progress because they were Catholic or because they were of

Irish extraction? How many sons of Italian or Jewish or Polish parents slumbered in the slums -- untaught, unlearned, their potential lost forever to our nation and to the human race? Even today, what price will we pay before we have assured full opportunity to millions of Negro Americans?

In the last five years we have done more to assure equality to our Negro citizens, and to help the deprived both white and black, than in the hundred years before that time. But much, much more remains to be done. For there are millions of Negroes untrained for the simplest of jobs, and thousands every day denied their full and equal rights under the law; and the violence of the disinherited, the insulted, the injured, looms over the streets of Harlem and of Watts and of the South Side Chicago.

But a Negro American trains now as an astronaut, one of mankind's first explorers into outer space; another is the chief barrister of the United States government, and dozens sit on the benches of our court; and another, Dr. Martin Luther King, is the second man of African descent to win the Nobel Peace Prize for his nonviolent efforts for social justice between all of the races.

We have passed laws prohibiting -- We have passed laws prohibiting discrimination in education, in employment, in housing, but these laws alone cannot overcome the heritage of centuries -- of broken families and stunted children, and poverty and degradation and pain.

So the road toward equality of freedom is not easy, and great cost and danger march alongside all of us. We are committed to peaceful and nonviolent change, and that is important to all to understand -- though change is unsettling. Still, even in the turbulence of protest and struggle is greater hope for the future, as men learn to claim and achieve for themselves the rights formerly petitioned from others.

And most important of all, all of the panoply of government power has been committed to the goal of equality before the law, as we are now committing ourselves to the achievement of equal opportunity in fact. We must recognize the full human equality of all of our people before God, before the law, and in the councils of government. We must do this, not because it is economically advantageous, although it is; not because the laws of God command it, although they do; not because people in other lands wish it so. We must do it for the single and fundamental reason that it is the right thing to do.

We recognize that there are problems and obstacles before the fulfillment of these ideals in the United States, as we recognize that other nations, in Latin America and in Asia and in Africa, have their own political, economic, and social problems, their unique barriers to the elimination of injustices.

In some, there is concern that change will submerge the rights of a minority, particularly where that minority is of a different race than that of the majority. We in the United States believe in the protection of minorities; we recognize the contributions that they can make and the leadership that they can provide; and we do not believe that any people -- whether majority or minority, or individual human beings -- are "expendable" in the cause of theory or of policy. We recognize also that justice between men and nations is imperfect, and the humanity sometimes progresses very slowly indeed.

All do not develop in the same manner and at the same pace. Nations, like men, often march to the beat of different drummers, and the precise solutions of the United States can neither be dictated nor transplanted to others -- and that is not our intention. What is important, however, is that all nations must march toward increasing freedom, toward justice for all, toward a society strong and flexible enough to meet the demands of all of its people -- whatever their race -- and the demands that the world of immense and dizzying change that face us all.

In a few hours, the plane that brought me to this country crossed over oceans and countries which have been a crucible of human history. In minutes we traced migrations of men over thousands of years; seconds, the briefest glimpse, and we passed battlefields on which millions of men once struggled and died. We could see no national boundaries, no vast gulfs or high walls dividing people from people; only nature and the works of man -- homes and factories and farms -- everywhere reflecting Man's common effort to enrich his life. Everywhere new technology and communications brings men and nations closer together, the

concerns of one inevitably becomes the concerns of all. And our new closeness is stripping away the false masks, the illusion of differences which is the root of injustice and of hate and of war. Only earthbound man still clings to the dark and poisoning superstition that his world is bounded by the nearest hill, his universe ends at river shore, his common humanity is enclosed in the tight circle of those who share his town or his views and the color of his skin.

It is -- It is your job, the task of young people in this world, to strip the last remnants of that ancient, cruel belief from the civilization of man.

Each nation has different obstacles and different goals, shaped by the vagaries of history and of experience. Yet as I talk to young people around the world, I am impressed not by the diversity but by the closeness of their goals, their desires and their concerns and their hope for the future. There is discrimination in New York, the racial inequality of apartheid in South Africa, and serfdom in the mountains of Peru. People starve to death in the streets of India; a former Prime Minister is summarily executed in the Congo; intellectuals go to jail in Russia, and thousands are slaughtered in Indonesia; wealth is lavished on armaments everywhere in the world.

These are different evils, but they are the common works of man. They reflect the imperfections of human justice, the inadequacy of human compassion, the defectiveness of our sensibility toward the sufferings of our fellows; they mark the limit of our ability to use knowledge for the well-being of our fellow human beings throughout the world. And therefore they call upon common qualities of conscience and indignation, a shared determination to wipe away the unnecessary sufferings of our fellow human beings at home and around the world.

It is these qualities which make of our youth today the only true international community. More than this, I think that we could agree on what kind of a world we would all want to build. It would be a world of independent nations, moving toward international community, each of which protected and respected the basic human freedoms. It would be a world which demanded of each government that it accept its responsibility to insure social justice. It would be a world of constantly accelerating economic progress -- not material welfare as an end in/of itself, but as a means to liberate the capacity of every human being to pursue his talents and to pursue his hopes. It would, in short, be a world that we would all be proud to have built.

Just to the north of here are lands of challenge and of opportunity, rich in natural resources -- land and minerals and people. Yet they are also lands confronted by the greatest odds -- overwhelming ignorance, internal tensions and strife, and great obstacles of climate and geography. Many of these nations, as colonies, were oppressed and were exploited. Yet they have not estranged themselves from the broad traditions of the West; they are hoping and they are gambling their progress and their stability on the chance that we will meet our responsibilities to them to help them overcome their poverty.

In the world we would like to build, South Africa could play an outstanding role, and a role of leadership in that effort. This country is without question a preeminent repository of the wealth and the knowledge and the skill of this continent. Here are the greater part of Africa's research scientists and steel production, most of its reservoirs of coal and of electric power. Many South Africans have made major contributions to African technical development and world science. The names of some are known wherever men seek to eliminate the ravages of tropical disease and of pestilence. In your faculties and councils, here in this very audience, are hundreds and thousands of men and women who could transform the lives of millions for all time to come.

But the help and the leadership of South Africa or of the United States cannot be accepted if we, within our own country or in our relationships with others, deny individual integrity, human dignity, and the common humanity of man. If we would lead outside our own borders, if we would help those who need our assistance, if we would meet our responsibilities to mankind, we must first, all of us, demolish the borders which history has erected between men within our own nations -- barriers of race and religion, social class and ignorance.

Our answer is the world's hope: It is to rely on youth. The cruelties and the obstacles of this swiftly changing planet will not yield to obsolete dogmas and outworn slogans. It cannot be moved by those who cling to a present which is already dying, who prefer the illusion of security to the excitement and danger which comes with even the most peaceful progress.

This world demands the qualities of youth; not a time of life but a state of mind, a temper of the will, a quality of the imagination, a predominance of courage over timidity, of the appetite for adventure over the life of ease -- a man like the Chancellor of this University.

It is a revolutionary world that we all live in, and thus, as I have said in Latin America and in Asia and in Europe and in my own country, the United States, it is the young people who must take the lead. Thus, you, and your young compatriots everywhere, have had thrust upon you a greater burden of responsibility than any generation that has ever lived.

"There is," said an Italian philosopher, "nothing more difficult to take in hand, more perilous to conduct, or more uncertain in its success than to take the lead in the -- in the introduction of a new order of things." Yet this is the measure of the task of your generation, and the road is strewn with many dangers.

First, is the danger of futility: the belief there is nothing one man or one woman can do against the enormous array of the world's ills -- against misery, against ignorance, or injustice and violence. Yet many of the world's great movements, of thought and action, have flowed from the work of a single man. A young monk began the Protestant Reformation, a young general extended an empire from Macedonia to the borders of the earth, and a young woman reclaimed the territory of France. It was a young Italian explorer who discovered the New World, and 32 year-old Thomas Jefferson who proclaimed that "all men are created equal."

"Give me a place to stand," said Archimedes, "and I will move the world." These men moved the world, and so can we all. Few will have the greatness to bend history, but each of us can work to change a small portion of the events, and then the total -- all of these acts -- will be written in the history of this generation.

Thousands of Peace Corps volunteers are making a difference in the isolated villages and the city slums of dozens of countries. Thousands of unknown men and women in Europe resisted the occupation of the Nazis and many died, but all added to the ultimate strength and freedom of their countries. It is from numberless diverse acts of courage such as these that the belief that human history is thus shaped. Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of oppression and resistance.

"If Athens shall appear great to you," said Pericles, "consider then that her glories were purchased by valiant men, and by men who learned their duty." That is the source of all greatness in all societies, and it is the key to progress in our time.

The second danger is that of expediency: of those who say that hopes and beliefs must bend before immediate necessities. Of course, if we must act effectively we must deal with the world as it is. We must get things done. But if there was one thing that President Kennedy stood for that touched the most profound feeling of young people around the world, it was the belief that idealism, high aspirations, and deep convictions are not incompatible with the most practical and efficient of programs -- that there is no basic inconsistency between ideals and realistic possibilities, no separation between the deepest desires of heart and of mind and the rational application of human effort to human problems. It is not realistic or hardheaded to solve problems and take action unguided by ultimate moral aims and values, although we all know some who claim that it is so. In my judgment, it is thoughtless folly. For it ignores the realities of human faith and of passion and of belief -- forces ultimately more powerful than all of the calculations of our economists or of our generals. Of course to adhere to standards, to idealism, to vision in the face of immediate dangers takes great courage and takes self-confidence. But we also know that only those who dare to fail greatly, can ever achieve greatly.

It is this new idealism which is also, I believe, the common heritage of a generation which has learned that while efficiency can lead to the camps at Auschwitz, or the streets of Budapest, only the ideals of humanity and love can climb the hills of the Acropolis.

And a third danger is timidity. Few men are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change the world -- which yields most painfully to change. Aristotle tells us: "At the Olympic games it is not the finest or the strongest men who are crowned, but those who enter the lists." "So, too, in the life of the honorable and the good it is they who act rightly who win the prize." I believe that in this generation those with the courage to enter the conflict will find themselves with companions in every corner of the world.

For the fortunate amongst us, the fourth danger, my friends, is comfort, the temptation to follow the easy and familiar paths of personal ambition and financial success so grandly spread before those who have the privilege of an education. But that is not the road history has marked out for us. There is a Chinese curse which says, "May he live in interesting times." Like it or not we live in interesting times. They are times of danger and uncertainty; but they are also the most creative of any time in the history of mankind. And everyone here will ultimately be judged, will ultimately judge himself, on the effort he has contributed to building a new world society and the extent to which his ideals and goals have shaped that effort.

So we part, I to my country and you to remain. We are, if a man of 40 can claim the privilege, fellow members of the world's largest younger generation. Each of us have our own work to do. I know at times you must feel very alone with your problems and with your difficulties. But I want to say how I -- impressed I am with the stand -- with what you stand for and for the effort that you are making; and I say this not just for myself, but men and women all over the world. And I hope you will often take heart from the knowledge that you are joined with your fellow young people in every land, they struggling with their problems and you with yours, but all joined in a common purpose; that, like the young people of my own country and of every country that I have visited, you are all in many ways more closely united to the brothers of your time than to the older generations in any of these nations. You're determined to build a better future.

President Kennedy was speaking to the young people of America, but beyond them to young people everywhere, when he said: "the energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it; and the glow from that fire can truly light the world." And, he added, "With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own."

I thank you.



STATEMENT
ON THE
ARTICLES OF
IMPEACHMENT
**HOUSE JUDICIARY
COMMITTEE**

**REP. BARBARA JORDAN
(D-TEXAS)**

**JULY 25, 1974
WASHINGTON, DC**

In the wee hours of the morning, rookie Congresswoman Barbara Jordan shared her opinion on whether President Nixon should be charged with articles of impeachment. The speech may have served as one of the final nails in Nixon's political coffin.

Mr. Chairman, I join my colleague Mr. Rangel in thanking you for giving the junior members of this committee the glorious opportunity of sharing the pain of this inquiry. Mr. Chairman, you are a strong man, and it has not been easy but we have tried as best we can to give you as much assistance as possible.

Earlier today, we heard the beginning of the Preamble to the Constitution of the United States: "We, the people." It's a very eloquent beginning. But when that document was completed on the seventeenth of September in 1787, I was not included in that "We, the people." I felt somehow for many years that George Washington and Alexander Hamilton just left me out by mistake. But through the process of amendment, interpretation, and court decision, I have finally been included in "We, the people."

Today I am an inquisitor. An hyperbole would not be fictional and would not overstate the solemnness that I feel right now. My faith in the Constitution is whole; it is complete; it is total. And I am not going to sit here and be an idle spectator to the diminution, the subversion, the destruction, of the Constitution.

"Who can so properly be the inquisitors for the nation as the representatives of the nation themselves?" "The subjects of its jurisdiction are those offenses which proceed from the misconduct of public men." And that's what we're talking about. In other words, [the jurisdiction comes] from the abuse or violation of some public trust.

It is wrong, I suggest, it is a misreading of the Constitution for any member here to assert that for a member to vote for an article of impeachment means that that member must be convinced that the President should be removed from office. The Constitution doesn't say that. The powers relating to impeachment are an essential check in the hands of the body of the Legislature against and upon the encroachments of the Executive. The division between the two branches of the Legislature, the House and the Senate, assigning to the one the right to accuse and to the other the right to judge, the Framers of this Constitution were very astute. They did not make the accusers and the judges -- and the judges the same person.

We know the nature of impeachment. We've been talking about it awhile now. It is chiefly designed for the President and his high ministers to somehow be called into account. It is designed to "bridle" the Executive if he engages in excesses. "It is designed as a method of national inquest into the conduct of public men." The Framers confided in the Congress the power if need be, to remove the President in order to strike a delicate balance between a President swollen with power and grown tyrannical, and preservation of the independence of the Executive.

The nature of impeachment: a narrowly channeled exception to the separation-of-powers maxim. The Federal Convention of 1787 said that. It limited impeachment to high crimes and misdemeanors and discounted and opposed the term "maladministration." "It is to be used only for great misdemeanors," so it was said in the North Carolina ratification convention. And in the Virginia ratification convention: "We do not trust our liberty to a particular branch. We need one branch to check the other."

"No one need be afraid" -- the North Carolina ratification convention -- "No one need be afraid that officers who commit oppression will pass with immunity." "Prosecutions of impeachments will seldom fail to agitate the passions of the whole community," said Hamilton in the Federalist Papers, number 65. "We divide into parties more or less friendly or inimical to the accused." I do not mean political parties in that sense.

The drawing of political lines goes to the motivation behind impeachment; but impeachment must proceed within the confines of the constitutional term "high crime[s] and misdemeanors." Of the impeachment process, it was Woodrow Wilson who said that "Nothing short of the grossest offenses against the plain law of the land will suffice to give them speed and effectiveness. Indignation so great as to overgrow party interest may secure a conviction; but nothing else can."

Common sense would be revolted if we engaged upon this process for petty reasons. Congress has a lot to do: Appropriations, Tax Reform, Health Insurance, Campaign Finance Reform, Housing, Environmental Protection, Energy Sufficiency, Mass Transportation. Pettiness cannot be allowed to stand in the face of such overwhelming problems. So today we are not being petty. We are trying to be big, because the task we have before us is a big one.

This morning, in a discussion of the evidence, we were told that the evidence which purports to support the allegations of misuse of the CIA by the President is thin. We're told that that evidence is insufficient. What that recital of the evidence this morning did not include is what the President did know on June the 23rd, 1972.

The President did know that it was Republican money, that it was money from the Committee for the Re-Election of the President, which was found in the possession of one of the burglars arrested on June the 17th. What the President did know on the 23rd of June was the prior activities of E. Howard Hunt, which included his participation in the break-in of Daniel Ellsberg's psychiatrist, which included Howard Hunt's participation in the Dita Beard ITT affair, which included Howard Hunt's fabrication of cables designed to discredit the Kennedy Administration.

We were further cautioned today that perhaps these proceedings ought to be delayed because certainly there would be new evidence forthcoming from the President of the United States. There has not even been an obfuscated indication that this committee would receive any additional materials from the President. The committee subpoena is outstanding, and if the President wants to supply that material, the committee sits here. The fact is that on yesterday, the American people waited with great anxiety for eight hours, not knowing whether their President would obey an order of the Supreme Court of the United States.

At this point, I would like to juxtapose a few of the impeachment criteria with some of the actions the President has engaged in. Impeachment criteria: James Madison, from the Virginia ratification convention. "If the President be connected in any suspicious manner with any person and there be grounds to believe that he will shelter him, he may be impeached."

We have heard time and time again that the evidence reflects the payment to defendants money. The President had knowledge that these funds were being paid and these were funds collected for the 1972 presidential campaign. We know that the President met with Mr. Henry Petersen 27 times to discuss matters related to Watergate, and immediately thereafter met with the very persons who were implicated in the information Mr. Petersen was receiving. The words are: "If the President is connected in any suspicious manner with any person and there be grounds to believe that he will shelter that person, he may be impeached."

Justice Story: "Impeachment" is attended -- "is intended for occasional and extraordinary cases where a superior power acting for the whole people is put into operation to protect their rights and rescue their liberties from violations." We know about the Huston plan. We know about the break-in of the psychiatrist's office. We know that there was absolute complete direction on September 3rd when the President indicated that a surreptitious entry had been made in Dr. Fielding's office, after having met with Mr. Ehrlichman and Mr. Young. "Protect their rights." "Rescue their liberties from violation."

The Carolina ratification convention impeachment criteria: those are impeachable "who behave amiss or betray their public trust."⁴ Beginning shortly after the Watergate break-in and continuing to the present time, the President has engaged in a series of public statements and actions designed to thwart the lawful investigation by government prosecutors. Moreover, the President has made public announcements and assertions bearing on the Watergate case, which the evidence will show he knew to be false. These assertions, false assertions, impeachable, those who misbehave. Those who "behave amiss or betray the public trust."

James Madison again at the Constitutional Convention: "A President is impeachable if he attempts to subvert the Constitution." The Constitution charges the President with the task of taking care that the laws be faithfully executed, and yet the President has counseled his aides to commit perjury, willfully disregard the secrecy of grand jury proceedings, conceal surreptitious entry, attempt to compromise a federal judge, while publicly displaying his cooperation with the processes of criminal justice. "A President is impeachable if he attempts to subvert the Constitution."

If the impeachment provision in the Constitution of the United States will not reach the offenses charged here, then perhaps that 18th-century Constitution should be abandoned to a 20th-century paper shredder!

Has the President committed offenses, and planned, and directed, and acquiesced in a course of conduct which the Constitution will not tolerate? That's the question. We know that. We know the question. We should now forthwith proceed to answer the question. It is reason, and not passion, which must guide our deliberations, guide our debate, and guide our decision.

I yield back the balance of my time, Mr. Chairman.



A TIME FOR CHOOSING

RONALD REAGAN

**OCTOBER 27, 1964
LOS ANGELES**

Previously a Democrat, Reagan's endorsement of Barry Goldwater summarized his concerns with Johnson's Great Society and the expansion of government.

While Goldwater was trounced in the '64 election, Reagan's conservative message gave him a national appeal that would help him become Governor of California, and later President of the United States.

Thank you very much. Thank you and good evening. The sponsor has been identified, but unlike most television programs, the performer hasn't been provided with a script. As a matter of fact, I have been permitted to choose my own ideas regarding the choice that we face in the next few weeks.

I have spent most of my life as a Democrat. I recently have seen fit to follow another course. I believe that the issues confronting us cross party lines. Now, one side in this campaign has been telling us that the issues of this election are the maintenance of peace and prosperity. The line has been used "We've never had it so good."

But I have an uncomfortable feeling that this prosperity isn't something on which we can base our hopes for the future. No nation in history has ever survived a tax burden that reached a third of its national income. Today, 37 cents of every dollar earned in this country is the tax collector's share, and yet our government continues to spend \$17 million a day more than the government takes in. We haven't balanced our budget 28 out of the last 34 years. We have raised our debt limit three times in the last twelve months, and now our national debt is one and a half times bigger than all the combined debts of all the nations in the world. We have \$15 billion in gold in our treasury — we don't own an ounce. Foreign dollar claims are \$27.3 billion, and we have just had announced that the dollar of 1939 will now purchase 45 cents in its total value.

As for the peace that we would preserve, I wonder who among us would like to approach the wife or mother whose husband or son has died in South Vietnam and ask them if they think this is a peace that should be maintained indefinitely.

Do they mean peace, or do they mean we just want to be left in peace? There can be no real peace while one American is dying some place in the world for the rest of us. We are at war with the most dangerous enemy that has ever faced mankind in his long climb from the swamp to the stars, and it has been said if we lose that war, and in doing so lose this way of freedom of ours, history will record with the greatest astonishment that those who had the most to lose did the least to prevent its happening. Well, I think it's time we ask ourselves if we still know the freedoms that were intended for us by the Founding Fathers.

Not too long ago two friends of mine were talking to a Cuban refugee, a businessman who had escaped from Castro, and in the midst of his story one of my friends turned to the other and said, "We don't know how lucky we are." And the Cuban stopped and said, "How lucky you are! I had someplace to escape to." In that sentence he told us the entire story. If we lose freedom here, there is no place to escape to. This is the last stand on Earth. And this idea that government is beholden to the people, that it has no other source of power except to sovereign people, is still the newest and most unique idea in all the long history of man's relation to man. This is the issue of this election. Whether we believe in our capacity for self-government or whether we abandon the American revolution and confess that a little intellectual elite in a far-distant capital can plan our lives for us better than we can plan them ourselves.

You and I are told increasingly that we have to choose between a left or right, but I would like to suggest that there is no such thing as a left or right. There is only an up or down — up to a man's age-old dream, the ultimate in individual freedom consistent with law and order — or down to the ant heap totalitarianism, and regardless of their sincerity, their humanitarian motives, those who would trade our freedom for security have embarked on this downward course.

In this vote-harvesting time, they use terms like the "Great Society," or as we were told a few days ago by the President, we must accept a "greater government activity in the affairs of the people." But they have been a little more explicit in the past and among themselves — and all of the things that I now will quote have appeared in print. These are not Republican accusations. For example, they have voices that say "the cold war will end through acceptance of a not undemocratic socialism." Another voice says that the profit motive has become outmoded, it must be replaced by the incentives of the welfare state; or our traditional system of individual freedom is incapable of solving the complex problems of the 20th century. Senator Fullbright has said at Stanford University that the Constitution is outmoded. He referred to the president as our moral teacher and our leader, and he said he is hobbled in his task by the restrictions in power imposed on him by this antiquated document. He must be freed so that he can do for us what he knows is best. And Senator Clark of Pennsylvania, another articulate spokesman, defines liberalism as "meeting the material needs of the masses through the full power of centralized government." Well, I for one resent it when a representative of the people refers to you and me — the free man and woman of this country — as "the masses." This is a term we haven't applied to ourselves in America. But beyond that, "the full power of centralized government" — this was the very thing the Founding Fathers sought to minimize. They knew that governments don't control things. A government can't control the economy without controlling people. And they know when a government sets out to do that, it must use force and coercion to achieve its purpose. They also knew, those Founding Fathers, that outside of its legitimate functions, government does nothing as well or as economically as the private sector of the economy.

Now, we have no better example of this than the government's involvement in the farm economy over the last 30 years. Since 1955, the cost of this program has nearly doubled. One-fourth of farming in America is responsible for 85% of the farm surplus. Three-fourths of farming is out on the free market and has known a 21% increase in the per capita consumption of all its produce. You see, that one-fourth of farming is regulated and controlled by the federal government. In the last three years we have spent \$43 in feed grain program for every bushel of corn we don't grow.

Senator Humphrey last week charged that Barry Goldwater as President would seek to eliminate farmers. He should do his homework a little better, because he will find out that we have had a decline of 5 million in the farm population under these government programs. He will also find that the Democratic administration has sought to get from Congress an extension of the farm program to include that three-fourths that is now free. He will find that they have also asked for the right to imprison farmers who wouldn't keep books as prescribed by the federal government. The Secretary of Agriculture asked for the right to seize

farms through condemnation and resell them to other individuals. And contained in that same program was a provision that would have allowed the federal government to remove 2 million farmers from the soil.

At the same time, there has been an increase in the Department of Agriculture employees. There is now one for every 30 farms in the United States, and still they can't tell us how 66 shiploads of grain headed for Austria disappeared without a trace and Billie Sol Estes never left shore.

Every responsible farmer and farm organization has repeatedly asked the government to free the farm economy, but who are farmers to know what is best for them? The wheat farmers voted against a wheat program. The government passed it anyway. Now the price of bread goes up; the price of wheat to the farmer goes down.

Meanwhile, back in the city, under urban renewal the assault on freedom carries on. Private property rights are so diluted that public interest is almost anything that a few government planners decide it should be. In a program that takes for the needy and gives to the greedy, we see such spectacles as in Cleveland, Ohio, a million-and-a-half-dollar building completed only three years ago must be destroyed to make way for what government officials call a "more compatible use of the land." The President tells us he is now going to start building public housing units in the thousands where heretofore we have only built them in the hundreds. But FHA and the Veterans Administration tell us that they have 120,000 housing units they've taken back through mortgage foreclosures. For three decades, we have sought to solve the problems of unemployment through government planning, and the more the plans fail, the more the planners plan. The latest is the Area Redevelopment Agency. They have just declared Rice County, Kansas, a depressed area. Rice County, Kansas, has two hundred oil wells, and the 14,000 people there have over \$30 million on deposit in personal savings in their banks. When the government tells you you're depressed, lie down and be depressed.

We have so many people who can't see a fat man standing beside a thin one without coming to the conclusion that the fat man got that way by taking advantage of the thin one. So they are going to solve all the problems of human misery through government and government planning. Well, now, if government planning and welfare had the answer and they've had almost 30 years of it, shouldn't we expect government to almost read the score to us once in a while? Shouldn't they be telling us about the decline each year in the number of people needing help? The reduction in the need for public housing?

But the reverse is true. Each year the need grows greater, the program grows greater. We were told four years ago that 17 million people went to bed hungry each night. Well, that was probably true. They were all on a diet. But now we are told that 9.3 million families in this country are poverty-stricken on the basis of earning less than \$3,000 a year. Welfare spending is 10 times greater than in the dark depths of the Depression. We are spending \$45 billion on welfare. Now do a little arithmetic, and you will find that if we divided the \$45 billion up equally among those 9 million poor families, we would be able to give each family \$4,600 a year, and this added to their present income should eliminate poverty! Direct aid to the poor, however, is running only about \$600 per family. It would seem that someplace there must be some overhead.

So now we declare "war on poverty," or "you, too, can be a Bobby Baker!" Now, do they honestly expect us to believe that if we add \$1 billion to the \$45 billion we are spending...one more program to the 30-odd we have — and remember, this new program doesn't replace any, it just duplicates existing programs — do they believe that poverty is suddenly going to disappear by magic? Well, in all fairness I should explain that there is one part of the new program that isn't duplicated. This is the youth feature. We are now going to solve the dropout problem, juvenile delinquency, by reinstating something like the old CCC camps, and we are going to put our young people in camps, but again we do some arithmetic, and we find that we are going to spend each year just on room and board for each young person that we help \$4,700 a year! We can send them to Harvard for \$2,700! Don't get me wrong. I'm not suggesting that Harvard is the answer to juvenile delinquency.

But seriously, what are we doing to those we seek to help? Not too long ago, a judge called me here in Los Angeles. He told me of a young woman who had come before him for a divorce. She had six children, was pregnant with her seventh. Under his questioning, she revealed her husband was a laborer earning \$250 a month. She wanted a divorce so that she could get an \$80

raise. She is eligible for \$330 a month in the Aid to Dependent Children Program. She got the idea from two women in her neighborhood who had already done that very thing.

Yet anytime you and I question the schemes of the do-gooders, we are denounced as being against their humanitarian goals. They say we are always “against” things, never “for” anything. Well, the trouble with our liberal friends is not that they are ignorant, but that they know so much that isn’t so. We are for a provision that destitution should not follow unemployment by reason of old age, and to that end we have accepted Social Security as a step toward meeting the problem.

But we are against those entrusted with this program when they practice deception regarding its fiscal shortcomings, when they charge that any criticism of the program means that we want to end payments to those who depend on them for livelihood. They have called it insurance to us in a hundred million pieces of literature. But then they appeared before the Supreme Court and they testified that it was a welfare program. They only use the term “insurance” to sell it to the people. And they said Social Security dues are a tax for the general use of the government, and the government has used that tax. There is no fund, because Robert Byers, the actuarial head, appeared before a congressional committee and admitted that Social Security as of this moment is \$298 billion in the hole. But he said there should be no cause for worry because as long as they have the power to tax, they could always take away from the people whatever they needed to bail them out of trouble! And they are doing just that.

A young man, 21 years of age, working at an average salary ... his Social Security contribution would, in the open market, buy him an insurance policy that would guarantee \$220 a month at age 65. The government promises \$127. He could live it up until he is 31 and then take out a policy that would pay more than Social Security. Now, are we so lacking in business sense that we can’t put this program on a sound basis so that people who do require those payments will find that they can get them when they are due...that the cupboard isn’t bare? Barry Goldwater thinks we can.

At the same time, can’t we introduce voluntary features that would permit a citizen who can do better on his own to be excused upon presentation of evidence that he had made provisions for the non-earning years? Should we allow a widow with children to work, and not lose the benefits supposedly paid for by her deceased husband? Shouldn’t you and I be allowed to declare who our beneficiaries will be under these programs, which we cannot do? I think we are for telling our senior citizens that no one in this country should be denied medical care because of a lack of funds. But I think we are against forcing all citizens, regardless of need, into a compulsory government program, especially when we have such examples, as announced last week, when France admitted that their Medicare program was now bankrupt. They’ve come to the end of the road.

In addition, was Barry Goldwater so irresponsible when he suggested that our government give up its program of deliberate planned inflation so that when you do get your Social Security pension, a dollar will buy a dollar’s worth, and not 45 cents’ worth?

I think we are for an international organization, where the nations of the world can seek peace. But I think we are against subordinating American interests to an organization that has become so structurally unsound that today you can muster a two-thirds vote on the floor of the General Assembly among the nations that represent less than 10 percent of the world’s population. I think we are against the hypocrisy of assailing our allies because here and there they cling to a colony, while we engage in a conspiracy of silence and never open our mouths about the millions of people enslaved in Soviet colonies in the satellite nation.

I think we are for aiding our allies by sharing of our material blessings with those nations which share in our fundamental beliefs, but we are against doling out money government to government, creating bureaucracy, if not socialism, all over the world. We set out to help 19 countries. We are helping 107. We spent \$146 billion. With that money, we bought a \$2 million yacht for Haile Selassie. We bought dress suits for Greek undertakers; extra wives for Kenyan government officials. We bought a thousand TV sets for a place where they have no electricity. In the last six years, 52 nations have bought \$7 billion worth of our gold, and all 52 are receiving foreign aid from this country.

No government ever voluntarily reduces itself in size. Government programs, once launched, never disappear. Actually, a government bureau is the nearest thing to eternal life we’ll ever see on this Earth. Federal employees number 2.5 million, and fed-

eral, state, and local, one out of six of the nation's work force is employed by the government. These proliferating bureaus with their thousands of regulations have cost us many of our constitutional safeguards. How many of us realize that today federal agents can invade a man's property without a warrant? They can

impose a fine without a formal hearing, let alone a trial by jury, and they can seize and sell his property in auction to enforce the payment of that fine. In Chico County, Arkansas, James Wier overplanted his rice allotment. The government obtained a \$17,000 judgment, and a U.S. marshal sold his 950-acre farm at auction. The government said it was necessary as a warning to others to make the system work. Last February 19 at the University of Minnesota, Norman Thomas, six-time candidate for President on the Socialist Party ticket, said, "If Barry Goldwater became President, he would stop the advance of socialism in the United States." I think that's exactly what he will do.

As a former Democrat, I can tell you Norman Thomas isn't the only man who has drawn this parallel to socialism with the present administration. Back in 1936, Mr. Democrat himself, Al Smith, the great American, came before the American people and charged that the leadership of his party was taking the part of Jefferson, Jackson, and Cleveland down the road under the banners of Marx, Lenin, and Stalin. And he walked away from his party, and he never returned to the day he died, because to this day, the leadership of that party has been taking that party, that honorable party, down the road in the image of the labor socialist party of England. Now it doesn't require expropriation or confiscation of private property or business to impose socialism on a people. What does it mean whether you hold the deed or the title to your business or property if the government holds the power of life and death over that business or property? Such machinery already exists. The government can find some charge to bring against any concern it chooses to prosecute. Every businessman has his own tale of harassment. Somewhere a perversion has taken place. Our natural, inalienable rights are now considered to be a dispensation of government, and freedom has never been so fragile, so close to slipping from our grasp as it is at this moment. Our Democratic opponents seem unwilling to debate these issues. They want to make you and I believe that this is a contest between two men ... that we are to choose just between two personalities.

Well, what of this man that they would destroy? And in destroying, they would destroy that which he represents, the ideas that you and I hold dear. Is he the brash and shallow and trigger-happy man they say he is?

Well, I have been privileged to know him "when." I knew him long before he ever dreamed of trying for high office, and I can tell you personally I have never known a man in my life I believe so incapable of doing a dishonest or dishonorable thing.

This is a man who in his own business, before he entered politics, instituted a profit-sharing plan, before unions had ever thought of it. He put in health and medical insurance for all his employees. He took 50 percent of the profits before taxes and set up a retirement program, a pension plan for all his employees. He sent checks for life to an employee who was ill and couldn't work. He provided nursing care for the children of mothers who work in the stores. When Mexico was ravaged by floods from the Rio Grande, he climbed in his airplane and flew medicine and supplies down there.

An ex-GI told me how he met him. It was the week before Christmas during the Korean War, and he was at the Los Angeles airport trying to get a ride home to Arizona for Christmas, and he said that there were a lot of servicemen there and no seats available on the planes. Then a voice came over the loudspeaker and said, "Any men in uniform wanting a ride to Arizona, go to runway such-and-such," and they went down there, and there was this fellow named Barry Goldwater sitting in his plane. Every day in the weeks before Christmas, all day long, he would load up the plane, fly to Arizona, fly them to their homes, then fly back over to get another load.

During the hectic split-second timing of a campaign, this is a man who took time out to sit beside an old friend who was dying of cancer. His campaign managers were understandably impatient, but he said, "There aren't many left who care what happens to her. I'd like her to know I care." This is a man who said to his 19-year-old son, "There is no foundation like the rock of honesty and fairness, and when you begin to build your life upon that rock, with the cement of the faith in God that you have, then you have a real start." This is not a man who could carelessly send other people's sons to war. And that is the issue of this campaign that makes all of the other problems I have discussed academic, unless we realize that we are in a war that must be won.

Those who would trade our freedom for the soup kitchen of the welfare state have told us that they have a utopian solution of peace without victory. They call their policy “accommodation.” And they say if we only avoid any direct confrontation with the enemy, he will forget his evil ways and learn to love us. All who oppose them are indicted as warmongers. They say we offer simple answers to complex problems. Well, perhaps there is a simple answer — not an easy answer — but simple.

If you and I have the courage to tell our elected officials that we want our national policy based upon what we know in our hearts is morally right. We cannot buy our security, our freedom from the threat of the bomb by committing an immorality so great as saying to a billion now in slavery behind the Iron Curtain, “Give up your dreams of freedom because to save our own skin, we are willing to make a deal with your slave masters.” Alexander Hamilton said, “A nation which can prefer disgrace to danger is prepared for a master, and deserves one.” Let’s set the record straight. There is no argument over the choice between peace and war, but there is only one guaranteed way you can have peace — and you can have it in the next second — surrender.

Admittedly there is a risk in any course we follow other than this, but every lesson in history tells us that the greater risk lies in appeasement, and this is the specter our well-meaning liberal friends refuse to face — that their policy of accommodation is appeasement, and it gives no choice between peace and war, only between fight and surrender. If we continue to accommodate, continue to back and retreat, eventually we have to face the final demand — the ultimatum. And what then? When Nikita Khrushchev has told his people he knows what our answer will be? He has told them that we are retreating under the pressure of the Cold War, and someday when the time comes to deliver the ultimatum, our surrender will be voluntary because by that time we will have weakened from within spiritually, morally, and economically. He believes this because from our side he has heard voices pleading for “peace at any price” or “better Red than dead,” or as one commentator put it, he would rather “live on his knees than die on his feet.” And therein lies the road to war, because those voices don’t speak for the rest of us. You and I know and do not believe that life is so dear and peace so sweet as to be purchased at the price of chains and slavery. If nothing in life is worth dying for, when did this begin — just in the face of this enemy? Or should Moses have told the children of Israel to live in slavery under the pharaohs? Should Christ have refused the cross? Should the patriots at Concord Bridge have thrown down their guns and refused to fire the shot heard ‘round the world? The martyrs of history were not fools, and our honored dead who gave their lives to stop the advance of the Nazis didn’t die in vain. Where, then, is the road to peace? Well, it’s a simple answer after all.

You and I have the courage to say to our enemies, “There is a price we will not pay.” There is a point beyond which they must not advance. This is the meaning in the phrase of Barry Goldwater’s “peace through strength.” Winston Churchill said that “the destiny of man is not measured by material computation. When great forces are on the move in the world, we learn we are spirits — not animals.” And he said, “There is something going on in time and space, and beyond time and space, which, whether we like it or not, spells duty.”

You and I have a rendezvous with destiny. We will preserve for our children this, the last best hope of man on Earth, or we will sentence them to take the last step into a thousand years of darkness.

We will keep in mind and remember that Barry Goldwater has faith in us. He has faith that you and I have the ability and the dignity and the right to make our own decisions and determine our own destiny.

Thank you very much



DEMOCRATIC
CONVENTION
KEYNOTE
ADDRESS

**ILLINOIS STATE SENATOR
BARACK HUSSEIN OBAMA
(D-COOK COUNTY)**

**JULY 27, 2004
BOSTON, MA**

“Who the heck is this guy?” read the Philadelphia Daily News the second morning of '04 DNC convention. A little known State Senator was given a monumental opportunity, normally reserved for party elders or rising stars with deeper résumés. Overnight, Obama became a household name, with some already pondering a presidential run.

On behalf of the great state of Illinois...crossroads of a nation, land of Lincoln, let me express my deep gratitude for the privilege of addressing this convention. Tonight is a particular honor for me because, let's face it, my presence on this stage is pretty unlikely.

My father was a foreign student, born and raised in a small village in Kenya. He grew up herding goats, went to school in a tin-roof shack. His father, my grandfather, was a cook, a domestic servant to the British.

But my grandfather had larger dreams for his son. Through hard work and perseverance my father got a scholarship to study in a magical place, America, that's shown as a beacon of freedom and opportunity to so many who had come before him.

While studying here my father met my mother. She was born in a town on the other side of the world, in Kansas.

Her father worked on oil rigs and farms through most of the Depression. The day after Pearl Harbor, my grandfather signed up for duty, joined Patton's army, marched across Europe. Back home my grandmother raised a baby and went to work on a bomber assembly line. After the war, they studied on the GI Bill, bought a house through FHA and later moved west, all the way to Hawaii, in search of opportunity.

And they too had big dreams for their daughter, a common dream born of two continents.

My parents shared not only an improbable love; they shared an abiding faith in the possibilities of this nation. They would give me an African name, Barack, or "blessed," believing that in a tolerant America, your name is no barrier to success.

They imagined me going to the best schools in the land, even though they weren't rich, because in a generous America you don't have to be rich to achieve your potential.

They're both passed away now. And yet I know that, on this night, they look down on me with great pride.

And I stand here today grateful for the diversity of my heritage, aware that my parents' dreams live on in my two precious daughters.

I stand here knowing that my story is part of the larger American story, that I owe a debt to all of those who came before me, and that in no other country on Earth is my story even possible.

Tonight, we gather to affirm the greatness of our nation not because of the height of our skyscrapers, or the power of our military, or the size of our economy; our pride is based on a very simple premise, summed up in a declaration made over two hundred years ago: "We hold these truths to be self-evident, that all men are created equal... that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness."

That is the true genius of America, a faith... a faith in simple dreams, an insistence on small miracles; that we can tuck in our children at night and know that they are fed and clothed and safe from harm; that we can say what we think, write what we think, without hearing a sudden knock on the door; that we can have an idea and start our own business without paying a bribe; that we can participate in the political process without fear of retribution; and that our votes will be counted -- or at least, most of the time.

This year, in this election, we are called to reaffirm our values and our commitments, to hold them against a hard reality and see how we are measuring up, to the legacy of our forbearers and the promise of future generations.

And fellow Americans, Democrats, Republicans, independents, I say to you, tonight, we have more work to do ... more work to do, for the workers I met in Galesburg, Illinois, who are losing their union jobs at the Maytag plant that's moving to Mexico, and now they're having to compete with their own children for jobs that pay 7 bucks an hour; more to do for the father I met who was losing his job and chocking back the tears wondering how he would pay \$4,500 a months for the drugs his son needs without the health benefits that he counted on; more to do for the young woman in East St. Louis, and thousands more like her who have the grades, have the drive, have the will, but doesn't have the money to go to college.

Now, don't get me wrong, the people I meet in small towns and big cities and diners and office parks, they don't expect government to solves all of their problems. They know they have to work hard to get a head. And they want to.

Go into the collar counties around Chicago, and people will tell you: They don't want their tax money wasted by a welfare agency or by the Pentagon.

Go into any inner-city neighborhood, and folks will tell you that government alone can't teach kids to learn.

They know that parents have to teach, that children can't achieve unless we raise their expectations and turn off the television sets and eradicate the slander that says a black youth with a book is acting white. They know those things.

People don't expect -- people don't expect government to solve all their problems. But they sense, deep in their bones, that with just a slight change in priorities, we can make sure that every child in America has a decent shot at life and that the doors of opportunity remain open to all. They know we can do better. And they want that choice.

In this election, we offer that choice. Our party has chosen a man to lead us who embodies the best this country has to offer. And that man is John Kerry.

John Kerry understands the ideals of community, faith and service because they've defined his life. From his heroic service to Vietnam to his years as prosecutor and lieutenant governor, through two decades in the United States Senate, he has devoted

himself to this country. Again and again, we've seen him make tough choices when easier ones were available. His values and his record affirm what is best in us.

John Kerry believes in an America where hard work is rewarded. So instead of offering tax breaks to companies shipping jobs overseas, he offers them to companies creating jobs here at home.

John Kerry believes in an America where all Americans can afford the same health coverage our politicians in Washington have for themselves.

John Kerry believes in energy independence, so we aren't held hostage to the profits of oil companies or the sabotage of foreign oil fields.

John Kerry believes in the constitutional freedoms that have made our country the envy of the world, and he will never sacrifice our basic liberties nor use faith as a wedge to divide us.

And John Kerry believes that in a dangerous world, war must be an option sometimes, but it should never be the first option.

You know, a while back, I met a young man named Seamus in a VFW hall in East Moline, Illinois. He was a good-looking kid, 6'2", 6'3", clear eyed, with an easy smile. He told me he'd joined the Marines and was heading to Iraq the following week.

And as I listened to him explain why he had enlisted -- the absolute faith he had in our country and its leaders, his devotion to duty and service -- I thought, this young man was all that any of us might ever hope for in a child. But then I asked myself: Are we serving Seamus as well as he's serving us?

I thought of the 900 men and women, sons and daughters, husbands and wives, friends and neighbors who won't be returning to their own hometowns. I thought of the families I had met who were struggling to get by without a loved one's full income or whose loved ones had returned with a limb missing or nerves shattered, but still lacked long-term health benefits because they were Reservists.

When we send our young men and women into harm's way, we have a solemn obligation not to fudge the numbers or shade the truth about why they are going, to care for their families while they're gone, to tend to the soldiers upon their return and to never, ever go to war without enough troops to win the war, secure the peace and earn the respect of the world.

Now, let me be clear. Let me be clear. We have real enemies in the world. These enemies must be found. They must be pursued. And they must be defeated.

John Kerry knows this. And just as Lieutenant Kerry did not hesitate to risk his life to protect the men who served with him in Vietnam, President Kerry will not hesitate one moment to use our military might to keep America safe and secure.

John Kerry believes in America. And he knows that it's not enough for just some of us to prosper. For alongside our famous individualism, there's another ingredient in the American saga, a belief that we are all connected as one people.

If there's a child on the south side of Chicago who can't read, that matters to me, even if it's not my child.

If there's a senior citizen somewhere who can't pay for their prescription and having to choose between medicine and the rent, that makes my life poorer, even if it's not my grandparent.

If there's an Arab-American family being rounded up without benefit of an attorney or due process, that threatens my civil liberties.

It is that fundamental belief -- it is that fundamental belief -- I am my brother's keeper, I am my sisters' keeper -- that makes this country work.

It's what allows us to pursue our individual dreams, yet still come together as a single American family: "E pluribus unum," out of many, one.

Now even as we speak, there are those who are preparing to divide us, the spin masters and negative ad peddlers who embrace the politics of anything goes.

Well, I say to them tonight, there's not a liberal America and a conservative America; there's the United States of America.

There's not a black America and white America and Latino America and Asian America; there's the United States of America.

The pundits, the pundits like to slice and dice our country into red states and blue States: red states for Republicans, blue States for Democrats. But I've got news for them, too. We worship an awesome God in the blue states, and we don't like federal agents poking around our libraries in the red states.

We coach little league in the blue states and, yes, we've got some gay friends in the red states.

There are patriots who opposed the war in Iraq, and there are patriots who supported the war in Iraq.

We are one people, all of us pledging allegiance to the stars and stripes, all of us defending the United States of America.

In the end, that's what this election is about. Do we participate in a politics of cynicism, or do we participate in a politics of hope?

John Kerry calls on us to hope. John Edwards calls on us to hope. I'm not talking about blind optimism here, the almost willful ignorance that thinks unemployment will go away if we just don't think about it, or health care crisis will solve itself if we just ignore it.

That's not what I'm talking. I'm talking about something more substantial. It's the hope of slaves sitting around a fire singing freedom songs; the hope of immigrants setting out for distant shores; the hope of a young naval lieutenant bravely patrolling the Mekong Delta; the hope of a millworker's son who dares to defy the odds; the hope of a skinny kid with a funny name who believes that America has a place for him, too.

Hope in the face of difficulty, hope in the face of uncertainty, the audacity of hope: In the end, that is God's greatest gift to us, the bedrock of this nation, a belief in things not seen, a belief that there are better days ahead.

I believe that we can give our middle class relief and provide working families with a road to opportunity.

I believe we can provide jobs for the jobless, homes to the homeless, and reclaim young people in cities across America from violence and despair.

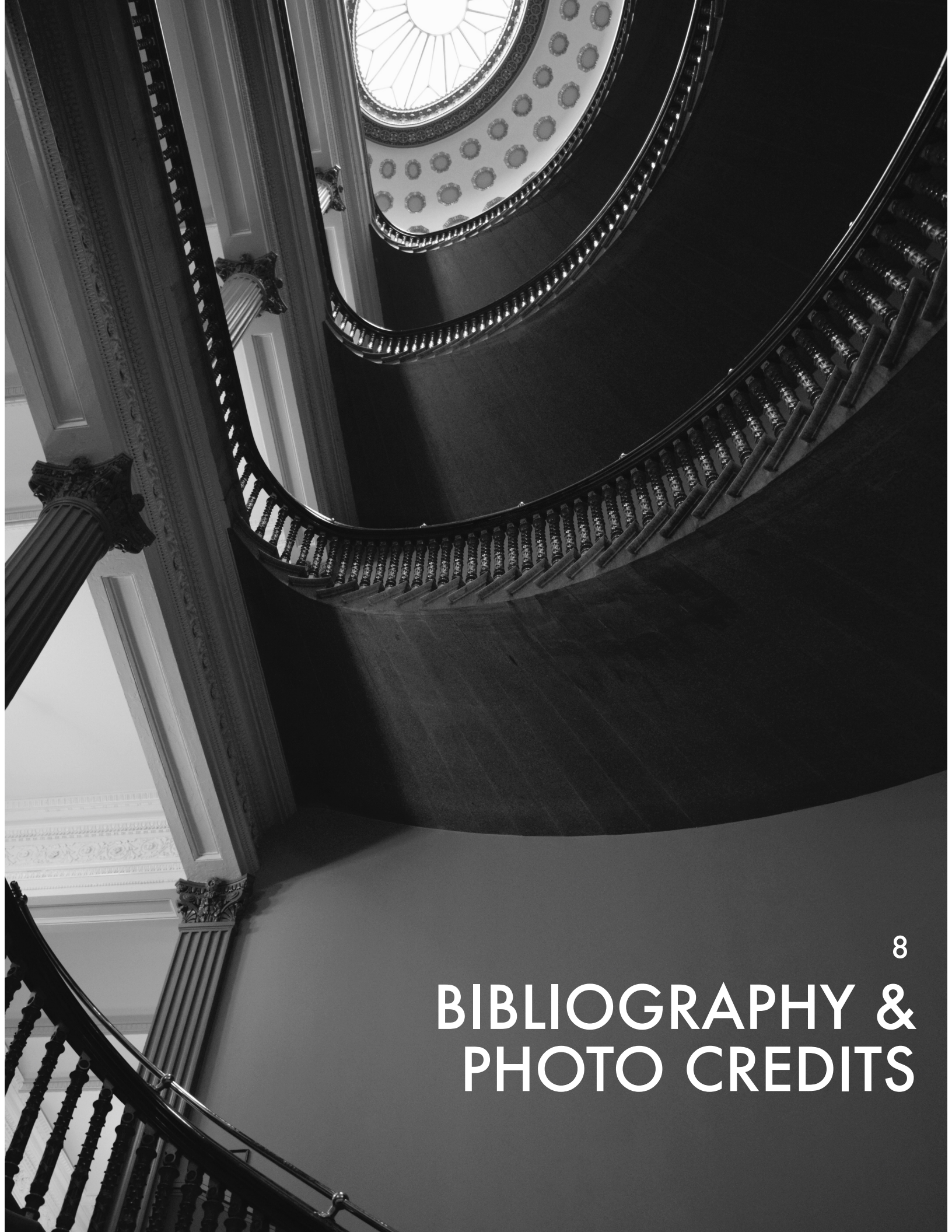
I believe that we have a righteous wind at our backs, and that as we stand on the crossroads of history, we can make the right choices and meet the challenges that face us.

America, tonight, if you feel the same energy that I do, if you feel the same urgency that I do, if you feel the same passion that I do, if you feel the same hopefulness that I do, if we do what we must do, then I have no doubt that all across the country, from Florida to Oregon, from Washington to Maine, the people will rise up in November, and John Kerry will be sworn in as president. And John Edwards will be sworn in as vice president. And this country will reclaim its promise. And out of this long political darkness a brighter day will come.

Thank you very much, everybody.

God bless you.

Thank you.



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