

Excerpts from the Founders' Library

Handout

The Holy Bible, Conteyning [sic] the Old Testament and the New, 1782

The Framers respect the Bible as the source of religious belief. Their thinking about "natural law" and "natural rights" has a religious foundation.

"So God created man in his own image, in the image of God created he him; male and female created he them."

Thoughts on Government, John Adams, 1776

Adams is keenly interested in the structure of government. He champions the case for checks and balances.

"A representation of the people in one assembly being obtained, a question arises, whether all the powers of government, legislative, executive, and judicial, shall be left in this body? I think a people cannot be long free, nor ever happy, whose government is in one assembly."

Common Sense, Thomas Paine, 1776

Paine denounces monarchy as inherently corrupt and tyrannical and also describes how an independent America will achieve greater prosperity when freed of colonial restrictions.

"This new World hath been the asylum for the persecuted lovers of civil and religious liberty from EVERY PART of Europe. Hither have they fled not from the tender embraces of the mother, but from the cruelty of the monster, and it is so far true of England, that the same tyranny which drove the emigrants from home, pursues their descendants still."

Inquiry into the Nature and Causes of the Wealth of Nations, Adam Smith, 1776

Smith believes that economic prosperity is more likely through the self-interested decisions of thousands of individuals than through government monopolies and controls. This corresponds nicely with the idea that people should have political freedom.

"It is not from the benevolence of the butcher, the brewer, or the baker, that we expect our dinner, but from their regard to their own interest. We address ourselves, not to their humanity but to their self-love, and never talk to them of our necessities but of their advantages."

A Summary of the Views of the Rights of British America, Thomas Jefferson, 1774

Jefferson summarized the American argument that Parliament deprived Americans of liberty by trying to govern and tax them without the consent of their representatives.

"Let them not think to exclude us from going to other markets to dispose of those commodities which they cannot use, or to supply those wants which they cannot supply. Still less let it be proposed that our properties within our own territories

shall be taxed or regulated by any power on earth but our own."

Works, John Woolman, 1774

Woolman, a New Jersey Quaker, believes that owning slaves is inconsistent with the Christian religion. His writings contribute to the growing international debate over slavery.

"These are people who have made no agreement to serve us, and who have not forfeited their liberty that we know of. These are the souls for whom Christ died, and for our conduct towards them we must answer before Him who is no respecter of persons"

Commentaries on the Laws of England, Sir William Blackstone, 1765-69

Blackstone's political conservatism troubles many revolutionaries. But his *Commentaries* is a sourcebook on English common-law rules and procedures and is part of every American lawyer's bookshelf.

"Civil liberty, rightly understood, consists in protecting the rights of individuals by the united force of society: society cannot be maintained, and of course can exert no protection, without obedience to some sovereign power; and obedience is an empty name, if every individual has a right to decide how far he himself shall obey."

Letters from a Pennsylvania Farmer, John Dickinson, 1768

Dickinson denounced British efforts to tax Americans and groped for a rational way to divide central and local power. He's at the Convention himself, trying to solve this problem.

"In fact, if the people of New York cannot be legally taxed but by their own representatives, they cannot be legally deprived of the privilege of legislation, only for insisting on that exclusive privilege of taxation. If they may be legally deprived in such a case of the privilege of legislation, why may they not, with equal reason, be deprived of every other privilege?"

Essays and Treatises on Several Subjects, David Hume, 1753-68

The Framers have mixed feelings about Hume. Though some delegates admire his work, they are dismayed by his idea that royal corruption of members of Parliament is necessary to maintain the balance between royal authority and popular power.

"We may, therefore, give to this influence what name we please; we may call it by the invidious appellations of corruption and dependence; but some degree and some kind of it are inseparable from the very nature of the constitution, and necessary to the preservation of our mixed government."

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A System of Moral Philosophy, Francis Hutcheson, 1755
Hutcheson believes that "self-interest" is a virtue in itself. Challenging John Locke, he says that ideas of right and wrong are not based on reason, but on a "moral sense" implanted by God.

"Our moral sense, by the wise constitution of God, more approves such affections as are most useful and efficacious to the publick[sic] interest."

The Spirit of the Laws, Charles Louis de Secondat, Baron Montesquieu, 1748

Montesquieu explains that liberty rests upon separating the different powers of government: especially the power to enact laws from the power to enforce them.

"When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner."

Gulliver's Travels, Jonathan Swift, 1726

Swift's political satire on the universal human tendency to abuse political power and authority is familiar to American readers.

"Mistakes committed by Ignorance in a virtuous Disposition, would never be of such fatal Consequence to the Publick Weal, as the Practices of a man whose Inclinations led him to be corrupt, and had great Abilities to manage and multiply, and defend his corruptions."

Cato's Letters, John Trenchard and Thomas Gordon, 1724

These essays show how courtiers around the King subverted the liberty of Englishmen and the independence of Parliament. The authors confirm American suspicions of executive power.

"It is nothing strange, that men, who think themselves unaccountable, should act unaccountably, and that all men would be unaccountable if they could"

Two Treatises on Government, John Locke, 1690

Locke believes that human beings join together and form governments in order to protect their natural rights to life and property. When a government fails to protect these rights, he maintains, the people can replace that government with another.

"The end of law is not to abolish or restrain, but to preserve and enlarge freedom."

Institutes of the Laws of England, Sir Edward Coke, 1628
Coke believes that the Magna Carta confirms the ancient, fundamental rights belonging to all Englishmen. He says common law preserves those rights and that judges should carefully guard them. He is greatly admired by many of the Delegates.

"The common law has no controller in any part of it, but the high court of Parliament; and if it be not abrogated or altered by Parliament, it remains still."

Discourses on the First Ten Books of Livy, Niccolo Machiavelli, 1531

Machiavelli's *Discourses* highlight the importance of "civic virtue" to the well being of a republic.

"The Citizens in a Republic who attempt an enterprise either in favor of Liberty or in favor of Tyranny, ought to consider the condition of things, and judge the difficulty of the enterprise; for it is as difficult and dangerous to want to make a people free who want to live in servitude, as to want to make a people slave who want to live free."

Magna Carta, 1215

In this Great Charter of Liberty, English kings conceded that government must be based on the rule of law, and guaranteed certain basic rights to all freemen.

"No free man shall be taken or imprisoned or dispossessed, or outlawed, or banished, or in any way destroyed, nor will we go upon him, nor send upon him, except by the legal judgment of his peers or by the law of the land."

Politics, Aristotle, BC 384-322

Aristotle's emphasis on a higher law interests American thinkers. It provides a classical pedigree for their ideas about "fundamental law" and "natural rights."

"Constitutions which aim at the common advantage are correct and just without qualification, whereas those which aim only at the advantage of the rulers are deviant and unjust, because they involve despotic rule, which is inappropriate for a community of free persons."

Lives of Noble Romans, Plutarch, 46-120

Plutarch provides practical examples of courageous and public-spirited leadership to emulate, as well as examples of folly and vice to avoid.

"Ambitious men, who embrace the image and not the reality of virtue, produce nothing but ugly deeds."