

## Constitution Week Poster Contest Teacher/Student Materials

### General Introduction

The United States is founded upon an idea.

Her citizens, unlike those in other countries, do not share bonds of blood going back centuries or the commonality of a shared history. Rather they are bound by citizenship itself, by birth or through naturalization, in a common heritage whose foundation is an idea: that all are created equal and are endowed by their Creator with life, liberty, and the pursuit of happiness. The Declaration of Independence proclaims this idea. The Constitution amplifies it and sets forth the governmental structure to safeguard it.

Under the Constitution, the government of the United States is designed to be in service to the citizens of the country, rather than have subjects in service to their government. This means, that “We the People” have the responsibility to actively participate in our own government and to be responsible for ourselves as a free people.

During the Revolutionary War, this idea gave the colonists a commonality of purpose to break with Great Britain. As the 1800s unfolded, the common bond began to fray as new immigrants brought new perspectives and new political parties sharply differed on just what the founding idea meant. The Civil War, too, brought old divisions forward. Yet, the Constitution held. With the passage of the Fourteenth and Fifteenth Amendments “all” began to truly mean “all”, and the nation emerged with a stronger sense of citizenship and what the American identity meant.

In the 1900s women gained national suffrage and greater political involvement as the idea was tested through two world wars, the Cold War, and the Civil Rights movement. The 2000s with 9/11 and other seminal events brought a renewed flowering of the idea as people rediscovered their shared unalienable rights and renewed their commitment to their responsibilities as citizens.

The Constitution Week Poster Contest invites all to ponder the Constitution, its genesis, meaning, and purpose—and to discover more fully what citizenship is and what its responsibilities are. Art speaks in a way that words cannot. And it can inspire beyond what words can convey.

The materials in this Study Packet provide the Constitution’s historical frame and inspiration with “The Pie Shops” short-short story, the “Pizza vs. Hamburger” interactive civics game, the Iconic Symbols summary, and the source documents essays/quotes section, plus drawing hints. So, launch yourself into the essence of what is the Constitution and let your imagination soar as you express through art how remarkable are the Constitution and America.

NOTE:

This is a joint project of the CSSDAR Community Classroom Committee/South and the CSSDAR Constitution Week Committee.

These materials were developed by Sarah Towne-di Cicco in consultation with Sue MacLaurin. The purpose of this collaboration is to offer California teachers and students easy-to-access materials that permit more students to learn about the Constitution and their role as citizens of this country. The students have the opportunity to express what they have learned through art by participating in the Constitution Week Poster Contest.

Except where noted, the materials were written by Sarah Towne-di Cicco.

Constitution Week Poster Contest

Presentation Materials for Teachers and Students

## What Will Be Learned

### Synopsis

This set of presentation materials gives the teachers and students in grades Kindergarten through Twelfth the opportunity to experience the US Constitution personally. The set includes a short-short story, “The Pie Shops” that traces the birth of the United States through to the Constitution; a personal exercise in civics, “Pizza vs. Hamburger”; an explanation of the Iconic Symbols related to elemental aspects of America; and a selection of eleven essays and quotes drawn from source documents that recount the story of the Constitution’s development.

After reading the “Pie Shops” and experiencing “Pizza vs. Hamburger”, students have complete freedom to choose just how deeply to delve into what is the United States Constitution.

With the combined experience of the written, spoken, and experienced lessons, students will be equipped to relate what they have learned through art, by creating their own Constitution Week Posters. This is truly a wonderful opportunity to discover the essence of what it is to be an American—and to share this discovery through art.

### RECOMMENDATIONS FOR ALL GRADES

- Read aloud or have the students read “The Pie Shops”. Discuss the story.
- Play “Pizza vs. Hamburger”. The complexity of the game depends upon the grade level and the amount of time available.
- Read “Iconic Symbols”. Study and learn the meaning of America’s symbols according to grade level. Practice drawing the symbols.
- Choose from amongst the eleven essays/quotes for enrichment modules. These can be assigned for study, presented aloud in class, and used for arguments pertaining to aspects of America’s founding principles, the Constitution, and related topics.

### STUDENTS WILL BE ABLE TO (according to the rubrics of their grade level)

- Understand the genesis of America, from separate colonies to the United States of America.
- Trace the development of the country from a confederation of sovereign states to states united as one nation.
- Identify the basic concepts upon which America was founded.
- Understand the difference between direct and representative democracy.

- Understand how voting works.
- Understand the importance of being an informed voter.
- Understand their role in government.
- Identify the three branches of government.
- Have an understanding of why there are three branches of government.
- Identify Iconic American symbols and be able to explain their meaning.
- Have an appreciation of the influence the Iroquois Confederacy had upon some of America's symbols and the Constitution.
- Understand the purpose of the Constitution.
- Understand why there is a Bill of Rights.
- Have developed a greater appreciation for the ideas of life, liberty, and the pursuit of happiness and their unalienable nature.

Constitution Week Poster Contest  
“The Pie Shops” Introduction and Story

“The Pie Shops” is a short-short story recounting the birth of the United States from the colonies to the Constitution.

This story is written to appeal to the youngest students, yet its sequential details help older students recollect the order of events. It forms the historical frame for the other materials presented. The canvas is the Constitution Week Poster. The students are the artists.

Recommendations for all grades:

- Read the story aloud. Then, have the students read the story to themselves.
- Discuss the story.

Some questions to consider depending upon the grade level of the students:

- Identify the pie shops.
- Who are the chefs?
- Who is the Supreme Chef?
- Who are the bakers?
- What is the recipe book each individual chefs writes?
- Why would the pie shops squabble?
- What squabbles broke out between the pie shops before and after the Articles of Confederation?
- Why would the Constitution keep the pie shops from squabbling?

## THE PIE SHOPS

### A Short-Short Story on America's Founding

Once upon a time there were thirteen pie shops. Each had its own chef and a team of bakers devoted to making delectable pies. The chefs worked under a Supreme Chef: the King of England. He owned all the shops. He guarded them, helped sell the pies, and provided the recipes and rules they followed to make and bake their pies. He also kept the thirteen chefs from squabbling.

The Supreme Chefs came and went and the pie shops prospered. Then, in 1760 a new Supreme Chef inherited the pie shops: King George III.

One day, Supreme Chef George said to his chefs, "Guarding you costs too much. Send me more pies, and more pie taxes, too." They protested, "That is against the rules!" Chef George replied, "Silence!! I am the Supreme Chef. You do what I say or else."

This made the chefs angry. They thought, "We are a free people, not slaves. Maybe we should fire Supreme Chef George and work for ourselves. Then, we can bake and sell our pies when and how we want."

So, in 1775 they sent their smartest bakers to Philadelphia as delegates to figure out just what to do. These baker delegates formed the Second Continental Congress.

At first they tried to make peace with Supreme Chef George. But he wouldn't listen and sent soldiers to eat their pies and break their shops. So their delegates wrote the Declaration of Independence to explain to him and the world why he should be fired: He broke the rules, they were a free people; and the chefs and their teams would own and run their shops instead. Supreme Chef George was furious. Then they thought, "We'd better make sure we know how to run these shops and bake the pies just in case we win and George isn't Supreme Chef any longer."

So the baker delegates asked the thirteen chefs to write up their own recipes and rules. Those would become each shop's Constitution. Next they thought, "We can fire George and defeat his troops only if we work together and stay together. They devised "The Articles of Confederation" hoping to achieve just that.

The Articles forbade a Supreme Chef. Instead, the chefs could send bakers to a Congress to talk over problems, recommend solutions, and elect a President to advise them. They formed a Continental Army headed by George Washington so bakers from the different shops could fight together in the Continental Army if they wished. European governments could help them, too, in their quest to fire Supreme Chef George. The thirteen chefs liked the Articles of Confederation prepared by their delegate bakers so much, they began to vote to accept them in 1777.

Supreme Chef George was successfully fired. The chefs and bakers prospered under the Articles of Confederation. But, as they began to experiment with pie making and

running their own shops, some began throwing pies at the others and squabbling. Many thought there must be a better way to work together. So, in 1787 they sent baker delegates to Philadelphia to talk things over once again. These delegates devised the Constitution of the United States of America. It was so thoughtfully written that it still guides the pie shops, the United States, today.

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## Pizza vs. Hamburger An Interactive Lesson in Civics

At its most basic level, Pizza vs. Hamburger allows students to personally experience civics in action. The game presents the students with a simple, binary choice: What would you prefer for lunch, a pizza or a hamburger? The choice is determined by voting, either as a whole class, (direct democracy), or in smaller groups (representative democracy).

Most students have eaten a pizza and a hamburger. Therefore, most have enough personal experience to have an informed opinion on their preference.

The game is simple enough that students can understand how they feel if they wanted pizza but more students voted for hamburgers. They can explore the concept of “fairness”. They can also ask themselves what they could do to convince some of those who prefer hamburgers to change their mind and vote for pizza the next time.

Depending upon the grade level, the students can delve into methods used to change preferences by developing “talking points” to present during a debate or as “election flyers”. Plus, pizzas and hamburgers can be infused with more meaning than just lunch choices. This offers students scope to create debates on other topics. The essay/quote materials provide ideas for inspiration.

The Pizza vs. Hamburger Game.

The teacher is president.

Direct Democracy

- Announce to the class that they will vote on what to have for lunch. They will choose between pizza and hamburgers.
- Ask the students who prefer pizza to raise their hands. Count the total.
- Ask the students who prefer hamburgers to raise their hands. Count the total.
- Write the vote tallies on the board.

Representative Democracy

- Divide the class into equal groups of 3-5 students (depending upon the number of students in the class)
- Ask the students to choose by discussion a member of their group to be their Representative for the lunch choice vote. (The discussion only concerns the lunch preference of pizza or hamburgers. Each student in the small group states his or her preference during the discussion. The student chosen by the group must vote for the lunch choice determined by the group.
- Assemble the Representatives.
- Ask the Representatives to vote for pizza or hamburgers for lunch.
- Write the vote tally on the board.



Repeat the exercise using paper ballots.

#### Discussion

- Did the choice differ between the direct vote and the representative vote?
- Did the choice differ between the open vote and the secret ballot?
- What are the benefits of a secret ballot?
- What are the benefits of open discussion on the merits of pizza and the merits of hamburger?
- How do the students feel about their representative vote?
- Which way of voting seems more “fair” to the students?
- How do they feel when their choice wins? When it loses?
- What can they do to change the outcome?

Highlight that local, state, and national office holders are voted into office by a direct vote of the citizens. (A discussion of the Electoral College and the vote for President can be a discussion for upper grades).

Highlight that those who serve in State and National Office are their “representatives” (House and Senate). Explore (depending on grade level) the difficulties that a representative might face if the voters who elected him hold pizza and hamburger views. Compromise (half a pizza and half a hamburger?) might be necessary.

Upper grades may wish to explore what happens when the President (the teacher) vetoes legislation (the choice of pizza and hamburger). Are there enough votes (2/3) to override the veto?

Depending upon the students’ ability, ask for volunteers to prepare for a debate on the merits of pizza and the merits of hamburgers. Hold the debate. Are any minds changed?

Upper grades may choose to build upon the attributes of a pizza or a hamburger. This can be a springboard to understanding the complexity of drafting legislation that appeals to enough legislators to ensure passage of the legislation. However, it is recommended that all grades begin with the basic game so as to understand what voting means and how decisions are reached through voting.

There are many variations on the Pizza vs. Hamburger game. Imagine all the types of Pizza and Hamburgers and how to use these features to make a point! Debating topics like food, toys, games, and the like are a great way to learn how to become involved in government. By focusing on topics that are not current, the focus remains on the quality of the debate. It is not sidetracked by emotion.

Enjoy “Pizza vs. Hamburger” with your class!

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## Iconic Symbols Of the US Constitution

NOTE to the teacher and to home-school students:

Photographs and line drawings of these symbols are available for viewing on many websites and in a number of books. These may be used for inspiration. In making your Constitution Week poster, please do not use reproductions of these symbols. Draw your own.

### Arrow Bundle

The Iroquois Confederacy uses the symbol of five arrows bundled together to emphasize the thought that while one arrow may be easily broken, five bound together cannot. Thus, by coming together in friendship and common purpose, people and tribes are stronger in facing adversity than one standing alone.

The bundle of thirteen arrows held in the left talon of the Bald Eagle is an iconic American symbol and forms part of the Great Seal of the United States. The thirteen arrows represent the thirteen colonies joined in common purpose and by common ideas, united into one nation.

### Bald Eagle

The Bald Eagle signifies great strength and majesty. The eagle is far-seeing and long-lived: attributes of wisdom and continuity. The Bald Eagle has long been a symbol important to the Iroquois Confederacy. In 1782, the Bald Eagle was adopted as a symbol for the sovereignty of the United States by the Second Continental Congress. Thomas Jefferson, John Adams, and Benjamin Franklin, all familiar with the symbol from their long contact with the Iroquois Confederacy, provided drawings of the eagle to the Congress. Secretary of Congress, Charles Tomson, finalized the iconic American Bald Eagle from the drawings they submitted.

### Ballot Box

In the early years of the American Republic, ballot boxes stood at many a tavern, the natural gathering place for voting in hamlets and towns. It represents the ideas of a secret ballot, one citizen/one vote, and a frank, clean election. Standing in sight of all, with a lock closing it, the box holds fast against ballot stuffing and stolen elections.

### Bill of Rights

The “Bill of Rights” is usually handwritten. It refers to the first ten amendments of the Constitution. These rights are ‘unalienable’, meaning that one has these rights by nature, by birth. In terms of government, these rights are held by natural-born citizens and those who become citizens through naturalization.

### Capitol Building with Dome

The Capitol Building is the “peoples’ house” because this is where those whom voters choose to represent them as lawmakers meet: the House of Representatives and the Senate. These two bodies form the Legislative Branch of our government. The Capitol Building symbolizes the bi-cameral nature of America’s legislature and the Grand Compromise. The House of Representatives is made up of delegations from all the states, the number of whom is based upon the population of each state. The Senate is where each state stands in equal representation with the other states; each state sends two senators to the Senate.

### Colonial Ring

The Colonial Ring mirrors the Iroquois ring of friendship and symbolizes the desire to keep the bonds of friendship and cooperation strong: keeping each ring bright and shining. The Colonial Ring has thirteen rings, one for each of the thirteen colonies. Though the colonies are linked, each keeps its own sovereignty.

### Declaration of Independence

These three words evoke the 4<sup>th</sup> of July 1776 and the document that proclaimed the colonies’ independence from Britain to the world. The words convey the thought of a new nation that recognizes what we all receive from Nature’s God: life, liberty, and the pursuit of happiness. The two words “Nature’s God” links to the thought of the Laws of Nature. Thus no government has the power to take away the Creator’s gifts to mankind.

### Fourteenth Amendment/Broken Chains

There was heated debate over slavery during the drafting of the Constitution. If Nature’s God gifted mankind with life, liberty, and the pursuit of happiness, how could this not apply to slaves? However, it was clear that no Southern state would ratify the Constitution if slavery were outlawed completely. Those opposed to slavery knew that if the Constitution were not ratified the union would break apart and the colonies would be prey for every European power. Any hope for a unified, free nation would perish—and with it, any hope for an end to slavery.

The promise of the Declaration of Independence came with the passage of the Fourteenth Amendment on 9 July, 1868. Thus, the chains of slavery were broken at last.

### Iroquois Chief Headdress

Each adornment on a chief’s headdress holds spiritual significance and symbolic meaning. Feathers, quills, fur, leather, all come from animals and are considered elements of life itself. Overall, the headdress symbolizes wisdom, strength, bravery, and honor.

## Lady of Justice

The Lady of Justice is a symbol of the Judicial Branch of our government: the court system. The Supreme Court is the highest court. It is called the “final court of appeal”. This means that a decision reached in a lower court can be appealed until it reaches the Supreme Court. If the Supreme Court justices agree to hear the appeal, then the court case is taken up by them during that year’s court session. The decision the nine justices render is final. If the Supreme Court justices do not agree to hear the appeal, the ruling of the court that last heard the case remains in effect.

The Lady of Justice is blindfolded because the merits of a court case, what is presented before the judge, is important. What is not important is how one looks or who one is. All are equal before the law. She holds a set of scales, meaning that the competing arguments for or against a decision are weighed fairly, according to fact and evidence. She holds a sword to symbolize her authority to give justice. Her sword is unsheathed to show that truth is paramount, justice itself is honorable, and that the legal battle is fought cleanly and fairly in the light of day.

The Supreme Court is in Washington, D.C.

## Lady Liberty

This symbol is a replica of the Statue of Liberty standing on Liberty Island in New York Harbor. This statue was a gift to the United States from France to commemorate the 100<sup>th</sup> anniversary of the Declaration of Independence. It is an expression of the friendship between France and America, a friendship first forged during the American Revolution when Frenchmen fought alongside their American brothers and shed their blood together for liberty. Lady Liberty is a symbol of liberty and freedom from oppression.

She was designed by sculptor August Bartholdi and was fabricated by architect Eugène Viollet-le-Duc. Her inner structure was made by Gustav Eiffel.

With the poem by Emma Lazarus at her feet and her lamp held aloft, she has come to mean that refuge and a new life beckon in America.

## Liberty Tree

The Liberty Tree began life as the Iroquois Confederacy’s Tree of Peace or Tree of Friendship. The colonists embraced this symbol. The tree’s roots spread outward drawing life from the earth and connecting all. Its branches are all connected to one trunk, thus all are separate, but unified. Liberty itself is life giving and its gifts radiate outward to all who shelter under it. Yet, the tree must be tended for it to remain healthy. Thus it is every citizen’s duty to be watchful and tend the Liberty Tree.

The Tree is often drawn as a fir tree or a green tree with a brown trunk against a white background. The white background is a symbol for truth.

## The United States Flag

The current American flag has fifty five-pointed stars on a field of blue in its upper left-hand corner. Next to this and below it run thirteen alternating red and white stripes. Each star represents one of the fifty states that together form the United States of America. The thirteen stripes represent the thirteen original colonies that joined together as one nation in 1776 to break from Britain. The blue evokes the heavens, with the stars a new constellation filling the heavens. The color red symbolizes the land of one's birth and the blood shed to protect our freedoms. White symbolizes liberty and truth.

Please note: The United States flag is a living being. It must fly free on a poster. Therefore, it cannot be used as a background or be bound in any way. One may use random stars, stripes, or bunting to evoke its feeling.

## The White House

The White House is the home of the current United States President. Though he and his family live there, it belongs to all of us, we the people. It is the symbol of the Executive Branch of our government, headed by the President. He is often referred to as the "Commander in Chief". Even though he is the President, he must obey the laws of the country. He may veto legislation passed by Congress. However, if two-thirds of the members of the House of Representatives and the Senate vote for the legislation again, his veto can be "over-ridden". That means, the legislation passes, despite his veto.

Its neo-classical style evokes permanence. Its color, white, means that it stands proud.

## Constitution Week Poster Contest Drawing Hints

Drawing your poster can be a lot of fun. It doesn't matter if you think you cannot draw, because you can! You just need to organize your thoughts and imagine how your thoughts can be made into pictures. Once you get started, you will be surprised what you can do!

Think about our Constitution, its story, and its purpose. Think about how the small colonies became a nation. Think about what it means to be a citizen of this country. Are there Iconic Symbols you like? Ponder all you've learned. If you think quietly, different thoughts will come to you. These will help you imagine what to draw.

Follow the instructions of the "Constitution Week Poster Contest-2021" to the letter.

### **Hints**

Close your eyes and imagine images telling the Constitution's story. Make some sketches of what comes to your mind. The sketches don't have to be perfect. You are just drawing picture thoughts on paper.

Plan your poster so the phrase "Constitution Week September 17-23" is clearly visible. The word "September" may be spelled "Sept" or "Sep". The phrase should be at least two and a half to three inches high. You should be able to read the phrase without difficulty while standing about six feet from your poster.

Make a draft of your image sketches when planning your poster. You are telling a story with art. A story has a beginning, middle, and end. Your overall sketch tells the general story. Your sketch the details highlight important points-or give the "feel" you wish to express.

Use color and contrast to make your poster "pop". You want your poster to draw attention to itself. You can have bright colors in the foreground with shading in the background, shade through the color wheel, or have splashes of color. Make some test patterns to see what colors express your ideas best.

You may use the United States flag to tell your story. Make certain, though, that the flag is not covered by any other drawing or writing. The United States flag is living. It always flies free. It can never be used as a background pattern. You may use separate stars and stripes as well as bunting colors (red, white, blue) and similar designs as background. If you have a question, check the US Flag Code to make certain your drawing does not violate any of the rules on displaying the flag in art.

Have fun with your drawing. You are telling the thrilling story of the Constitution, of America. Let everyone else know how inspiring this story is by your artwork.

## Constitution Week Poster Contest Readings

Eleven readings are included in this Lesson Plan. The quotations have been carefully chosen to answer questions fundamental to the purpose of government, the Revolution, and the Constitution. The essays use quotations and recount aspects that are related to these questions. Teachers are encouraged to use these readings as enrichment for class discussion, as inspiration for debates, and as a springboard to further investigation into the genesis of the American Constitution.

### An Educated Citizenry/Citizenship

The “why” of personal involvement in one’s government.

### John Adams “Thoughts On Government” (1776)

Why have a government?

### The Covenant Chain/The Albany Plan

An idea of union that did not come to pass...’til later.

### What is Independence? John Adams

The hope that is freedom.

### The Articles of Confederation

The first big step to a “more perfect union”.

### George Washington’s Circular Letter to the States

His advice on how to form a “more perfect union”.

### The Secret Roots of the US Constitution

The Iroquois Confederacy—the Gift of Nature’s God.

### Richard Price’s “Observations on the Importance of the American Revolution” (1784)

Why America’s experiment in self-government matters.

### Mercy Otis Warren Argues for a Bill of Rights

Why stating one’s unalienable rights plainly is better than hoping these rights will be protected by custom.

### The Story of the Bill of Rights

How the Bill of Rights became part of the US Constitution.

### The Freedom to Believe: Patrick Henry vs James Madison

The foundation of our laws and an early test of government before the Constitution.

An Educated Citizenry  
Citizenship  
26 April 1783

Thomas Jefferson famously advocated “an educated citizenry” as vital for the political health of a government where “the people” form its core. Should those who vote not have an idea of whom they elect to office or be unaware of pitfalls of proposed legislation, it is not a stretch to imagine that those elected could have agendas contrary to the voters’ expectations. Further, legislation proposed as a remedy for a particular problem might very well make that problem worse or create new problems. Without an educated citizenry the experiment in self-government so recently launched would fail.

As James Madison said, “The citizens of the United States are responsible for the greatest trust ever confided to a political society. If justice, good faith, honor, gratitude, and all the other qualities which ennoble the character of a nation, and fulfil the ends of government, be the fruits of our establishment, the cause of liberty will acquire a dignity and lustre which it has never enjoyed, and an example will be set which cannot be have the most favorable influence on the rights of mankind. If, on the other side, our Government should be unfortunately blotted with the reverse of these cardinal and essential virtues, the great cause which we have engaged to vindicate will be dishonored and betrayed, the last and fairest experiment in favor of the rights of human nature will be turned against them, and their patrons and friends exposed to be insulted and silenced by the votaries of tyranny and usurpation.

“...We fought not only for own existence, but as the representative of free institutions we were placed in the arena, that from our success or failure the verdict of the world might be made up. If we, the greatest Republic in extent and population that the world had ever seen, placed on a new continent, with no complications from entangling alliance or intriguing neighbors, with boundless resources and boasting our universal education; if we, placed in this favored position, failed, centuries would elapse before any people would arise venturesome enough to attempt again the experiment of freedom.

“And although the trial was one of difficulty and danger to us, yet perhaps it is as well for the world in general that it was so severe...and set at rest...the question of the strength of Free Institutions when exercised under a proper constitution. In the triumphant vindication of Republicanism which we achieved, the cause of liberty finds all the stronger argument...”\*

Citizens of this country have been bequeathed a remarkable experiment in self-government. It is enshrined in the Constitution. The success or failure of this experiment depends upon how much effort we, as citizens, are willing to give to ensure that it continues. Perhaps two questions to ask ourselves are, “Is this not a worthwhile endeavor?” and “What may we do?”.



\*LeBaron Bradford Prince, *The Articles of Confederation vs. the Constitution the Progress of Nationality Among the People...*, (New York: G.P. Putnam & Son, 1867), 54-55.

By Sarah Towne-di Cicco/CCC State Co-Chair-South/Educational Resources

*Thoughts on Government*-John Adams (1776)

...the divine science of politics is the science of social happiness, and the blessing of society depend entirely on the constitutions of government, which are generally institutions that last for many generations, there can be no employment more agreeable to a benevolent mind than a research after the best.

...We ought to consider what is the end of government, before we determine which is the best form. Upon this point all speculative politicians will agree, that the happiness of society is the end of government, as all divines and moral philosophers will agree that the happiness of the individual is the end of man. From this principle it will follow, that the form of government which communicates ease, comfort, security, or, in one word, happiness, to the greatest number of persons, and in the greatest degree, is the best.

All sober inquirers of the truth, ancient and modern, pagan and Christian, have declared that the happiness of man, as well as his dignity, consists in virtue.

...If there a form of government, then, whose principle and foundation is virtue, will not every sober man acknowledge it better calculated to promote the general happiness than any other form?

...The foundation of every government is some principle or passion in the minds of people. The noblest principles and most generous affections in our nature, then, have the fairest chance to support a frame of government productive of human happiness.

...The principle difficulty lies, and the greatest care should be employed, in constituting [a] representative assembly. It should be in miniature an exact portrait of the people at large. It should think, feel, and reason, and act like them. That it may be the interest of this assembly to do strict justice at all times, it should be an equal representation, or in other words, equal interests among the people should have equal interests in it. Great care should be taken to effect this, and to prevent unfair, partial, and corrupt elections.

...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 one assembly.

...A representative assembly...is unfit to exercise the executive power, for want of two essential properties, secrecy and dispatch. A representative assembly is still less qualified for the judicial power, because it is too numerous, too slow, and too unskilled in the laws.

*Colonies to Nation 1763-1789: A Documentary History of the American Revolution.*  
Jack P. Green ed. (New York London: W.W. Norton & Company, 1975),306-308

## The Covenant Chain The Albany Plan

In June 1754, delegates from Massachusetts, New Hampshire, Connecticut, Rhode Island, New York, Pennsylvania, and Maryland gathered to meet the one-hundred and fifty representatives of the Iroquois Confederacy. The goal: to keep their “Covenant Chain” bright: strong unity between the colonists and the Confederacy. This was especially important at this time because of efforts by the French to expand their influence and the British to claim the Ohio Valley.

Benjamin Franklin had been advised by the Iroquois to unite the colonies into one: “as arrows are bound together for strength, so, too, must the colonies.” Accepting this advice, he had sought for several years to encourage unity amongst the colonies themselves, going beyond the looser “covenant” connecting the interests of these seven colonies and the Confederacy. During this meeting, he would present a draft of this idea, “Short hints towards a scheme for uniting the Northern Colonies”. While Massachusetts and Connecticut were already in favor of this idea, the other colonies were not.

However, the delegates from all the attending colonies did form a committee to draft a plan of union, using Franklins’ “Hints” as a template. The framework of this union would include a legislative body, the Grand Council, with representation based on each colony’s population and monetary contribution to the joint treasury. A President General, appointed by Britain, would work with the Council in a role similar to that of the current Royal Governor. Thus, the President had the power over the military, could negotiate treaties and land purchases from the Native Americans, and oversee the founding of new colonies in areas adjacent to the present colonies. He would be advised by the legislative body. The framework was similar to that of the Confederacy in many respects.

The Albany Plan was the result of this meeting. Though the Confederacy and the seven colonies’ delegates all formally agreed to it, it was never embraced by the seven colonies nor by Great Britain. The colonies felt that they gave up too much of their own Sovereignty for this union. And Great Britain felt she gave up too much of her Sovereignty to the colonies.

Franklin would later remark that had the colonies and Britain agreed to the Albany Plan, he doubted the Revolutionary War would have happened. The issues of taxation, trade, military occupation, and colonial expansion would have been resolved within this union. One could argue that the colonies lost more of their sovereignty under the Constitution than they would have under the Albany Plan. Britain clearly lost all of her Sovereignty: she lost her colonies.

Though the Albany Plan is mentioned sometimes as a passing reference today, the political cartoon of a segmented snake that appeared in Franklin’s newspaper just before the meeting in Albany remains a powerful representation of the idea.

By Sarah Towne-di Cicco/CCC State Co-Chair-South/Educational Resources

## What is Independence?

*The Promise of Independence: Letter of John Adams to Abigail Adams*  
3 July, 1776

“Yesterday, the greatest question was decided, which ever was debated in America, and a greater perhaps, never was nor will be decided among me. A resolution was passed with out one dissenting colony, “that these United Colonies are, and of right, ought to be, free and independent States, and as such they have, and of right ought to have, full power to make war, conclude peace, establish commerce, and to do all other acts and things which other States may rightfully do.” You will see in a few days a Declaration setting for the causes which have impelled us to this mighty revolution, and the reasons which justify it in the sight of God and man. A plan of confederation will be taken up in a few days.

...I am surprised at the suddenness as well as the greatness of this revolution. Britain has been filled with folly, and America with wisdom. At least, this is my judgement. Time must determine. It may be the will of Heaven that the two countries should be sundered forever. It may be the will of Heaven that America shall suffer calamities still more wasting and distresses yet more dreadful. If this is to be the case...it will inspire us with many virtues, which we have not, and correct many errors, follies and vices which threaten to disturb, dishonor, and destroy us. ...And the new government we are assuming in every part will require a purification from our vices, and an augmentation of our virtues, or there will be no blessings. The people will have unbounded power, and the people are extremely addicted to corruption and venality, as well as the great. But, I must submit all my hopes and fears to an overruling Providence, in which, unfashionable as the faith may be, I firmly believe.

...The second day of July 1776, will be the most memorable epocha in the history of America. ...You will think me transported with enthusiasm, but I am not. I am well aware of the toil, blood, and treasure, that it will cost us to maintain this declaration, and support and defend these States. Yet, through all the gloom, I can see the rays of ravishing light and glory. I can see that the end is more than worth all the means, and that posterity will triumph in that day’s transaction, even although we should rue it, which I trust in God we shall not.”

LeBaron Bradford Prince, *The Articles of Confederation vs. the Constitution the Progress of Nationality Among the People*, (New York: G.P. Putnam & Son, 1867), 26-28.

## The Articles of Confederation

“[One could] consider the history and nature of the revolutionary government existing from the year 1775 to the time of the Articles of Confederation. It was the creature of necessity, and never formally constituted—the Congress exercising all the functions of government...

This government, however, like all of a revolutionary origin, was but a transition stage while the nation was preparing something more permanent. Even before the Declaration of Independence, Congress commenced (11 June 1776) the work of arranging a plan of Confederation; but so many were the rival interests developed in the course of the work, that a year and a half was required to digest a system acceptable to all sections. The “Articles” were adopted by Congress, November 15, 1777, and then sent to the respective State legislatures for ratification. ...We find the doctrine of State Sovereignty plainly set forth in that instrument, in conflict with the national spirit which also makes itself apparent. Thus it is called “Articles of Confederation” and “perpetual union”, and the words, “perfect union” are several times introduced; while the first article containing the name of the Confederacy, declares that, “Each State retains its sovereignty, freedom, and independence”—sovereignty, of course, implying the right of withdrawal.

...The result was as might have been foreseen. The Congress which exercised power under them, succeeded tolerably well in conducting affairs during the war, when the common danger made it necessary that a Federal authority should be maintained; but with the establishment of peace, the condition of the Federal Government became most contemptible and deplorable. ...Braved by the smallest and most insignificant States, with no power to carry its decrees into effect, or even to enforce the obligations of its foreign treaties upon the separate members of the Confederacy, it became a by-word and a reproach at home and abroad.”

*Colonies to Nation 1763-1789: A Documentary History of the American Revolution.*  
Jack P. Green ed. (New York London: W.W. Norton & Company, 1975), 296-297.

## How to Form a More Perfect Union

*The Time of...Political Probation: George Washington's Circular Letter to the States*  
June 8, 1783

“The great object, for which I had the honor to hold an appointment in the service of my country, being accomplished, I am now preparing to resign it into the hands of Congress, and to return to domestic retirement, which it is well known, I left with greatest reluctance...

...When we consider the magnitude of the prize we contended for, the doubtful nature of the contest, and the favorable manner in which it has terminated, we shall find the greatest possible reason for gratitude and rejoicing.

...The citizens of America...are now acknowledged to be possessed of absolute freedom and independency. ...The free cultivation of letters, the unbounded extension of commerce, the progressive refinement of manners, the growing liberality of sentiment, and above all, the pure and benign light of Revelation, have had a meliorating influence on mankind and increased the blessings of society. At this auspicious period, the United States came into existence as a nation; and, if their citizens should not be completely free and happy, the fault will be entirely their own. ...whether they will be respectable and prosperous, or contemptible and miserable.

...This the time of their political probation; this is the moment when they eyes of the whole world are turned upon them; this is the moment to establish or ruin their national character for ever; this is the favorable moment to give such a tone to our federal government, as will enable it to answer the ends of its institution, or this may be the ill-fated moment for relaxing the powers of the Union, annihilating the cement of the confederation, and exposing us to become the sport of European politics, which may play one State against another, to prevent their growing importance, and to serve their own interested purposes. For according to the system of policy the States shall adopt at this moment, they will stand or fall; and by their confirmation or lapse it is yet to be decided, whether the revolution must ultimately be considered as a blessing or a curse; a blessing or curse, not in the present age alone, for with our fate will the destiny of unborn millions be involved.

...There are four things, which I humbly conceive, are essential to the wellbeing, I may even venture to say, to the existence of the United States, as an independent power:

First. An indissoluble union of the States, under one federal hand.

Secondly. A sacred regard to public justice.

Thirdly. The adoption of a proper peace establishment; and

Fourthly. The prevalence of that pacific and friendly disposition among the people of the United States, which will induce them to forget their local prejudices and policies; to

make those mutual concessions, which are requisite to the general prosperity; and, in some instances, to sacrifice their individual advantages to the interest of the community.

These are the pillars on which the glorious fabric of our independency and national character must be supported. Liberty is the basis; and whoever would dare sap the foundation, or overturn the structure, under whatever specious pretext he may attempt it, will merit the bitterest execration and the severest punishment, which can be inflicted by his injured country.

...with an entire conformity to the spirit of the Union, we cannot exist as an independent power. ...It is only in our united character, as an empire, that our independence is acknowledged, that our power can be regarded, or our credit supported, among foreign nations. The treaties of the European powers with the United States of America will have no validity on a dissolution of the Union. We shall be left nearly in a state of nature; or we may find, by our own unhappy experience, that there is a natural and necessary progression from the extreme of anarchy to the extreme of tyranny, and that arbitrary power is most easily established on the ruins of liberty, abused to licentiousness.

...The ability of the country to discharge the debts, which have been incurred in its defence, is not to be doubted. ...In this state of absolute freedom and perfect security, who will grudge to yield a very little of his property to support the common interest of society, and insure the protection of government? Who does not remember the frequent declarations, at the commencement of the war, that we should be completely satisfied, if at the expense of one half, we could defend the remainder of our possessions? Where is the man to be found, who wishes to remain indebted for the defence of his own person and property to the exertions, the bravery, and the blood of others, without making one generous effort to repay the debt of honor and gratitude? ...I cannot omit to mention the obligation this country is under to that meritorious class of veteran non-commissioned officers and private. ...Nothing but a punctual payment of their annual allowance can rescue them from the most complicated misery; and nothing could be a more melancholy and distressing sight, than to behold those, who have shed their blood, or lost their limbs in the service of their country, without a shelter, without a friend, and without the means of obtaining any of the necessaries or comforts of life, compelled to beg their daily bread from door to door.

...I now make it my earnest prayer, that God would have you, and the State over which you preside, in his holy protection; that he would incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government; to entertain a brotherly affection and love for one another, for their fellow citizens of the United States at large, and particularly for their brethren who have served in the field; and finally, that he would most graciously be please to dispose us all to do justice, to love mercy, and to demean ourselves with that charity, humility, and pacific temper of mind, which were the characteristics of the Divine Author of our blessed religion, and without an humble imitation of whose example in these things, we can never hope to be a happy nation.”

*Colonies to Nation 1763-1789: A Documentary History of the American Revolution.* Jack P. Green ed. (New York London: W.W. Norton & Company, 1975), 437-443.

## The Secret Roots of the US Constitution

“What made the colonists Americans as opposed to English was their experiences with the Indians.” John Mohawk, Seneca Tribe

Today, we are familiar with the ideas of self-government and personal freedom. And often, the philosophers of the Enlightenment are heralded as the inspiration for these very revolutionary ideas. Yet, often forgotten is that there was quite a lively interchange of ideas between many colonists and the indigenous peoples of the New World. It is they who shared these ideas with the Europeans. This percolation of thought between 1620 and 1776 transformed colonial society so much that not only did independence from England become imperative, but the new country's founding documents enshrined many precepts long held by many tribes, especially amongst the Iroquois Confederacy.

Both Benjamin Franklin and Thomas Jefferson had extensive contacts with members of the Confederacy and both admired their form of government: checks and balances on power, the fostering of personal freedom, and the autonomy of separate tribes. Yet, their government held all together in a mutually co-operative arrangement.

They'd both heard the story of how this government came to pass: How the Great Peacemaker, Dekanawidah, who'd long witnessed the constant warfare amongst the Cayuga, Onandaga, Mohawk, Oneida, and Seneca tribes, determined to visit each tribe with a message of peace and co-operation. Travelling with Mohawk Hia-watha, he succeeded in his mission, thus establishing the Iroquois Confederacy.

While neither Franklin nor Jefferson felt that recounting this story would sway their fellow attendees at the Continental Congress, they both realized how easily the governmental structure of the Iroquois Confederacy could form the basis for their new government. In an effort to encourage other members of the Continental Congress to consider this structure, the leaders of these tribes were secretly invited to advise the delegates during their long deliberations.

The ideas of self-government and personal freedom were rooted in a premise that made this type of government necessary: man is endowed by his Creator with life, liberty, and the pursuit of happiness. Thus, it is Nature's God who gives all gifts and to Him is owed ultimate allegiance. Thus, government should be in service to Nature's God's creation and not the other way around. It is these fundamental ideas that make us American. While the Enlightenment had its own influence, it can be argued that America's foundation and the first expression of this type of government grew and blossomed through contact with her native culture amongst the Iroquois Confederacy.



## Why America's Experiment Matters

Richard Price-*Observations on the Importance of the American Revolution* (1784)

“Having, from pure conviction, taken a warm part in favour of the British colonies (now the United States of America) during the late war; and been exposed, in consequence of this, to *much* abuse and *some* danger; it must be supposed that my anxiety is removed; and that I have been spared to be a witness to that very issue of the war which has been all along the object of my wishes. With heart-felt satisfaction, I see the revolution in favour of universal liberty which has taken place in *America*; a revolution which opens a new prospect in human affairs, and begins a new era in the history of mankind; -a revolution by which *Britons* themselves will be the greatest gainers, if wise enough to improve properly the check that has been given to the despotism of their ministers, and to catch the flame of virtuous liberty which has saved their American brethren.

The late war, in its *commencement and progress*, did great good by disseminating just sentiments of the rights of mankind, and the nature of legitimate government; by exciting a spirit of resistance to tyranny which has emancipated one European country, and is likely to emancipate others; and by occasioning the establishment in *America* of forms of government more equitable and more liberal than an that the world has yet known But in its termination, the war has done still greater good by preserving the new governments from that destruction in which they must have been involved, had Britain conquered; by providing, in a sequestered continent possessed of many singular advantages, a place of refuge for oppressed men in every region of the world; and by laying the foundation there of an empire which may be the seat of liberty, science and virtue, and from whence there is reason to hope these sacred blessings will be spread, till they become universal, and the time arrives when kings and priests shall have no more power to oppress, and that ignominious slavery which has hitherto debased the world is exterminated. I therefore, think I see the hand of Providence in the late war working for the general good.

Reason, as well as tradition, lead us to expect that a more improved and happy state of human affairs will take place before the consummation of all things. ...I say that, next to the introduction of Christianity among mankind, the American revolution may prove the most important step in the progressive course of human improvement. It is an event which may....become the means of setting free mankind from the shackles of superstition and tyranny, by leading them to see and know “that nothing is *fundamental* but impartial enquiry, an honest mind, and virtuous practice-that state policy ought not to be applied to the support of speculative opinions and formularies of faith” —“That the members of a civil society are *confederates*, not *subjects*: and their rulers, *servants*, not *masters*. —And that all legitimate government consists in the dominion of equal laws made with common consent; that is, in the dominion of men over themselves; and not in the dominion of communities over communities, or of any men over other men.”

...The present moment, however auspicious to the united States is wisely improved, is critical; and...may prove the time of their greatest danger. Should they lose those

virtuous and simple manners by which alone Republics can long subsist...The consequence will be, that the fairest experiment ever tried in human affairs will miscarry; and that a REVOLUTION which had revived the hopes of good men and promised an opening to better times, will become a discouragement to all future efforts in favour of liberty, and prove only an opening to a new scene of human degeneracy and misery.”

*From Colonies to Nation 1763-1789: A Documentary History of the American Revolution.* Jack P. Green ed. (New York London: W.W. Norton & Company, 1975), 423-425

Mercy Otis Warren  
Argument for A Bill of Rights

Mercy Otis Warren's *Observations on the New Constitution and on the Federal and State Conventions* highlighted the need for an appended Bill of Rights to the new Constitution. So incensed was she by the omission of such protection, she wrote and published her "Observations" in 1788. Her thoughts resonated with many throughout the colonies, so much so that Madison is said to have remarked that she had "said quite enough"! Her words resonate today just as much as they did then.

"Animated with the firmest zeal for the interest of this country, the peace and union of the American States and the freedom and happiness of a people who have made the most costly sacrifices in the cause of liberty—who have braved the power of Britain weather the convulsions of war, and waded through the blood of friends and foes to establish their independence, and to support the freedom of the human mind, I cannot silently witness this degradation without calling on them, before they are compelled to blush at their own servitude, and to turn back their languid eyes on their lost liberties—to consider, that the character of nations generally changes at the moment of revolution. And when patriotism is discountenanced and public virtue becomes the ridicule of the sycophant, when every man...who cannot lick the hand stretched out to oppress is deemed an enemy to the State, then is the gulf of despotism set open...and the national character sinks to a kind of apathy, with only energy sufficient to curse the breast that gave it milk...

Self-defense is a primary law of nature, which no subsequent law of society can abolish: this primeval principle, the immediate gift of the Creator, obliges everyone to remonstrate against the strides of ambition, and a wanton lust of domination, and to resist the first approaches of tyranny, which at this day threaten to sweep away the rights for which the brave sons of America have fought....they have purchased it with their blood and have gloried in their independence which has made them...the pride of America and the wonder of Europe.

...Yet there are men who tell us republicanism is dwindled into theory—that we are incapable of enjoying our liberties—and that we must have a master. ...All writers on government agree, and the feelings of the mind witness the truth of these political axioms, that man is born free, and possessed of certain unalienable rights—that government is instituted for the protection, safety, and happiness of the people, and not for the profit, honour, or private interest of any man... That the origin of all power is in the people, and that they have an incontestable right to check the creatures of their own creation, vested with certain powers to guard the life, liberty, and property of the community. ...And it is with inexpressible anxiety that many of the best friends to the Union—to the peaceable and equal participation of the rights of nature, and to the glory and dignity of this country...endeavour to lock the strong chains of domestic despotism on a country...but newly emancipated from the scepter of foreign dominion.

...There is no provision by a bill of rights to guard against the dangerous encroachments of power in too many instances to be named. ...We are told by a gentleman [Madison] of too much virtue and real probity to suspect he has a design to deceive- “that the whole constitution is a declaration of rights” -but mankind must think for themselves, and to many very judicious and discerning characters, the whole constitution, with very few exceptions, appears a perversion of the rights of particular states and of private citizens. But this gentleman goes on to tell us, “that the primary object is the general government, and that the rights of individuals are only incidentally mentioned...”. The rights of individuals ought to be the primary object of all government, and cannot be too securely guarded by the most explicit declarations in their favour.”

Warren, Mercy Otis. *Observations on the New Constitution and on the Federal and State Conventions*, Boston, (New York, By a Columbian Patriot, 1788), 3-7.

Sabin Americana Print Editions 1500-1926

## The Story of the Bill of Rights How the Bill of Rights Became Part of the Constitution

On 12 September 1787, the delegates to the Second Continental Congress in Philadelphia were heartened. After enduring a long, hot summer of endless debate, their work drafting the Constitution was nearly completed. “Hurrah!” they thought, “In less than a week we’ll sign the final draft and can return home confident we have created a “more perfect Union”!”

Then, George Mason of Virginia rose and requested to speak. “I cannot support this Constitution as written. There is no Declaration of Rights. The great powers given the Executive, the Legislative, and the Judiciary will trample the rights and liberties of the people.” George Washington looked at his friend in amazement. James Madison sputtered, appalled. What folly was this? Mason continued, “I request a vote to append to this Constitution a Declaration of Rights”. His request carried, but only two delegates joined him in the vote. The rest thought he’d either lost his mind or couldn’t imagine spending more weeks devising such a Declaration. They might never be finished!

However, much of the general population agreed with George Mason. Did they sacrifice and suffer through years of war only to install a government that could strip them of their lately won rights? Alexander Hamilton argued in vain that the Constitution’s “We the People” Preamble made it clear that the Constitution was only ordering the workings of the *people’s* government for their own benefit, rather than “regulating every species of personal and private concern”. James Madison pointed out that no one could possibly list all the rights a person held by virtue of birth. They and others noted that previous Bills of Rights bequeathed rights from monarchs to their subjects. Americans weren’t subjects of any monarch!

By January 1788, five states had ratified the new Constitution, despite their citizens’ concerns. Other states debated ratification ardently. The press was filled with arguments for and against a Declaration or Bill of Rights. Fist fights broke out in State Houses and in the streets. Didn’t many State Constitutions have a Bill of Rights? Why shouldn’t this new Federal Government, too? Finally, six more states voted for ratification, exceeding the nine total required to form a new government, but demanded that the Constitution be amended to protect certain rights. Rhode Island and North Carolina decided to wait until the First Congress wrote the amendments before voting on ratification.

James Madison faced a dilemma. He’d argued strongly against a Bill of Rights, yet now with voters and States demanding such a document, not only was his own ambition to be elected to the very first session of Congress imperiled, but the entire union of States. Maybe he should take his friend Thomas Jefferson’s advice after all: “A bill of rights is what the people are entitled to against any government on earth...and what no government should refuse on inference.” Running on a platform to amend the Constitution, Madison won his seat.

Madison presented a Bill of Rights based primarily on George Mason’s Declaration of Rights of Virginia, the Magna Carta, the Massachusetts Body of Liberties, and some

aspects of the more than two hundred proposed amendments to the Constitution. He'd written the seventeen amendments in clear, concise English so they could be easily understood by all. These were then sent to the Senate. The Senate passed twelve by August. By 15 December 1791 all thirteen States had ratified ten. These form the Bill of Rights.

Today, the Bill of Rights is often viewed as a natural extension of the US Constitution. Indeed, for some, its provisions are better known than those in the Constitution. Yet, had it not been for the courage of George Mason and the fervent support of his demand for a Declaration of Rights by so many throughout the states, these rights might never have been so articulately guaranteed. In the words of Elbridge Gerry, who voted with Mason that September day in 1787, "It must be admitted that a free people are the proper guardians of their rights and liberties." It is up to us to remember that we are indeed the guardians of the Bill of Rights and to act accordingly. After all, if we believe that we are "The People", we are responsible to ensure that government works for us and our inalienable rights are never abridged.

The Freedom to Believe  
An Early Test  
Patrick Henry vs. James Madison

Patrick Henry believed that fundamental to good citizenship was a thorough grounding in Christian morality. Virtue could not take root in untilled or rocky soil. Christian instruction would ensure that every child could cultivate the virtues necessary to the success of the new country. In 1784, he proposed a general tax called the, “Bill Establishing a Provision for Teachers of the Christian Religion”. The purpose was to provide funds to support such teachers. However, the imposition of such a tax brought the state into the promotion of religion, even though citizens could direct the taxes to a particular sect.

“Whereas the general diffusion of Christian knowledge hath a natural tendency to correct the morals of men, restrain their vices, and preserve the peace of society; which cannot be effect without a competent provision for learned teachers, who may be thereby enabled to devote their time and attention to the duty of instructing such citizens, as from their circumstances and want of education, cannot otherwise attain such knowledge; and it is judged that such provision may be made by the Legislature, without counteracting the liberal principle heretofore adopted and intended to be preserved by abolishing all distinctions of preeminence amongst the different societies or communities of Christians.”\*

Though the idea to promote the cultivation of inner virtue had a degree of merit, a tax to achieve this was met with resistance. James Madison wrote “Memorial and Remonstrance” a year later to outline his reasons why such a tax would strike at the foundation of mankind’s inalienable rights. He believed that this tax, even though the person taxed could choose “which Christian church received the monies”, brought government into an arena which ought to remain completely outside its purview: the tax interposed government between man and his Creator.

His words resonated at a time when religious belief was common amongst most citizens. His words resonate even more so today, when the secular has oftentimes become its own religion. Below is much of Madison’s argument. Though the Bill of Rights had yet to be penned, it is easy to trace much of its origin.

“To the Honorable the General Assembly of the Commonwealth of Virginia A Memorial and Remonstrance.

We the subscribers, the citizens of the said Commonwealth, having taken into serious consideration, A bill printed by order of the last Session of General Assembly, entitled, “A Bill establishing a provision for Teachers of the Christian Religion”, and conceiving that the same is finally armed with the sanctions of a law, will be a dangerous abuse of power, are bound as faithful member of a free State to remonstrate against it, and to declare the reasons by which we are determined. We remonstrate against the said Bill.

One. Because we hold it for a fundamental and undeniable truth, “that Religion or the duty which we owe to our Creator and the manner of discharging it, can be directed only be reason and conviction, not by force or violence” [Virginia Declaration of Rights, art. 16] The Religion then of every man must be left to the conviction and conscience of every man’ and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated by their own minds cannot follow the dictates of other men; It is unalienable also, because what is here a right towards men, is a duty toward the Creator. It is the duty of every many to render to the Creator such homage and such only as he believes to be acceptable to him. This duty is precedent, both in order of time and in degree of obligation, to the claims of Civil Society. Before any man can be considered as a subject of Civil Society, he must be considered as a subject of the Governour of the Universe. And if a member of Civil Society, who enters into any subordinate Association, must always do it with a reservation of his duty to the General Authority; much more must every man who becomes a member of any particular Civil Society, do it with a saving of his allegiance to the Universal Sovereign. We maintain, therefore, that in matters of Religion, no man’s right is abridged by the institution of Civil Society and that Religion is wholly exempt from its cognizance. True, it is, that no other rule exists, by which any question which may divide a Society, can be ultimately determined, but the will of the majority, but it is also true that the majority may trespass on the rights of the minority.

Two. ...The preservation of a free Government requires not merely, that the metes and bounds which separate each department of power be invariably maintained, but more especially that neither of them be suffered to overleap the great Barrier which defends the rights of the people. The Rules who are guilty of such an encroachment, exceed the commission from which they derive their authority, and are Tyrants.

Three. Because it is proper to take alarm at the first experiment on our liberties. We hold this prudent jealousy to be the first duty of Citizens, and one of the noblest characteristics of the late Revolution. The free men of America did not wait till usurped power had strengthened itself by exercise...They saw all the consequences in the principle...

Four. Because the Bill violates that equality which ought to be the basis of every law. ...Whilst we assert for ourselves a freedom to embrace, to profess and to observe the Religion which we believe to be of divine origin, we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence which has convinced us. ...

Five. Because the Bill implies either that the Civil Magistrate is a competent Judge of Religious Truth; or that he may employ Religion as an engine of Civil policy. The first is an arrogant pretension falsified by the contradictory opinions of Rulers in all ages, and throughout the world; the second an unhallowed perversion of the means of salvation.

Six. Because the establishment proposed by the Bill is not requisite for the support of the Christian Religion. To say that it is, is a contradiction to the Christian Religion itself,



for every page of it disavows a dependence on the powers of the world. ...it is known that this Religion both existed and flourished, not only without the support of human laws, but in spite of every opposition from them...

...Nine. ...Instead of holding forth an Asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of Citizens all those whose opinions in Religion do not bend to those of the Legislative authority.”\*\*

Madison’s arguments held sway in the Virginia Legislature. Henry’s tax proposal did not pass.

*\*A Bill Establishing A Provision for Teachers of the Christian Religion, Patrick Henry, 1 January, 1784*

*\*Colonies to Nation 1763-1789: A Documentary History of the American Revolution. Jack P. Green ed. (New York London: W.W. Norton & Company, 1975),146-147*

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