

2

WHAT IDEAS ABOUT CIVIC LIFE INFORMED THE FOUNDING GENERATION?



LESSON PURPOSE

People frequently make judgments about governments or acts of governments, praising them as “good” or criticizing them as “bad.” Those judgments may reflect ideas about human nature, the proper function and scope of government, the rights of individuals, and other values. Political philosophers have discussed these matters for thousands of years. This lesson examines concepts such as the common good, civic virtue, the state of nature, natural rights, consent, and the social contract. These concepts are central to discussions about government.

When you have finished this lesson, you should be able to describe how and why natural rights philosophy differs from classical republicanism and how both systems of thought influenced the founding generation in America. You also should be able to explain the kinds of challenges that a society faces when it strives to preserve the rights to life, liberty, property, and “the pursuit of happiness” while at the same time promoting the common good and civic virtue. Finally, you should be able to evaluate, take, and defend positions on the importance of civic virtue today and the role of political philosophy in thinking about government.

TERMS AND CONCEPTS TO UNDERSTAND

civic virtue

classical republicanism

common good

consent of the governed

divine right

inalienable rights

natural rights

political legitimacy

popular sovereignty

pursuit of happiness

right of revolution

social contract theory

state of nature

WHAT VALUES FROM ANTIQUITY INFLUENCED THE FOUNDING GENERATION?

The men who drafted state constitutions and the U.S. Constitution were familiar with the ideas of antiquity when they thought about government. The Roman Republic, which lasted for almost five hundred years, from the sixth century to the first century BC, was the ancient society that exercised the greatest influence on the Founders. The laws of the Roman Republic established a complex system of offices, in which the common people had a voice but that also provided checks on the people's power. The Roman Republic was described as a mixed constitution because it had elements of monarchical power, aristocracy, and rule of the common people. It fostered and for a time achieved political stability. Many historians during our founding era believed that of all the governments they studied, the Roman Republic had done the best job of promoting the **common good**—that is, doing what was best for the society as a whole.

The devotion of citizens to the common good was a central feature of the political ideas that we now call **classical republicanism**. Classical republicanism placed the needs of people as a community above individual liberty and self-determination. Citizens were taught that they should work together to promote the good of the

country, not work for private or selfish interests. Only by working together in a common effort to promote the good of all could citizens maintain their republic and keep it free from the domination of others.

The history of the Roman Republic was both an example and a warning to America's founding generation. For centuries Roman citizens displayed their commitment to the common good. Cicero, a leader of the Roman Republic, viewed public life as the highest calling. Public life required dedicated citizens and leaders willing to make personal sacrifices for the sake of the common good. By Cicero's time, however, Rome had acquired a vast empire. During his lifetime Roman citizens' selfishness and corruption would cost them their political freedom. Civil war ensued. And in 48 BC the Roman people accepted an autocratic master, Julius Caesar (c. 100–44 BC), who was appointed dictator in order to impose order and stability in the aftermath of the civil war.

Three aspects of classical republicanism were particularly influential for the founding generation of Americans:

- **Small, uniform communities** Classical thinkers, such as Aristotle, observed that human beings are not self-sufficient and are always



What were some characteristics of the Roman Republic that might have contributed to its stability?

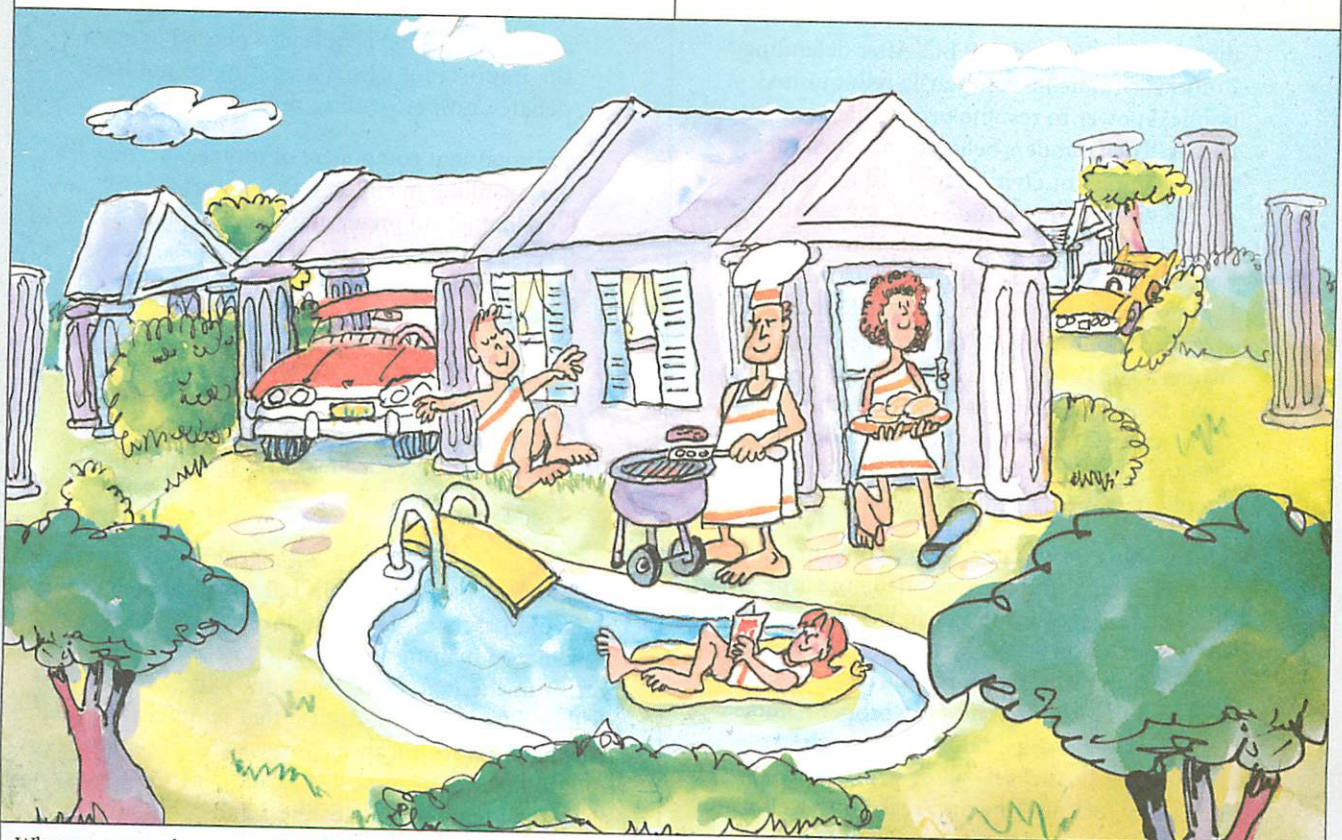
found living in association with one another in a form of political rule. Man is, he said, "a political animal." Humans need each other. They live together both for security and in order to live well. Good government is possible only in small communities, because in such communities people are able to know and care for one other and to discern the common good. Classical republican thinkers also believed that members of a political community must be fundamentally alike. Great disparities in wealth or differences in culture, religion, or morals cause conflict among people rather than encouraging them to work together for the common good. Classical republicans also feared the corrupting effects of luxury, making them wary of moneymaking and economic growth.

Americans in the eighteenth century experienced many of the advantages of small communities and their devotion to the common good. Survival in early America depended on the ability of neighbors and townspeople to work together to overcome obstacles. Official or established religions also fostered homogeneity and a commitment to the common good as defined by that religion.

- **Citizenship and civic virtue** Classical republicans emphasized the importance of the "office" of citizen and the duties associated with it. In most ancient societies slaves and noncitizens did most of the manual labor, freeing wealthier citizens to participate in civic affairs. Citizens were expected to set aside personal interests to promote the common good. Citizens also were expected to be well informed and engaged in community affairs. Virtuous citizens, classical republicans believed, should have the courage to do what was right even under trying circumstances.

From the classical perspective citizenship should emphasize duties, not rights. Most ancient republics did recognize what today we would call political rights, such as the right to vote, to express opinions about government, and to serve in public office. But most placed limits on the exercise of individual freedoms. For example, there was little concern about protecting an individual's privacy or freedom of conscience or religion.

The founding generation admired the heroes of antiquity, such as the Roman patriot, orator, and writer Cato the Elder (234–149 BC) and the citizen-soldier



What are some advantages of small, homogeneous communities? What are some disadvantages?



Why did the Founders consider Cincinnatus a model of civic virtue? What is the importance of civic virtue among leaders and citizens? Is there any relationship between the idea of civic virtue and the ideas expressed in the quotation from Judge Learned Hand on page xviii?

Lucius Quinctius Cincinnatus (519–438 BC). Cincinnatus was twice called on to serve as dictator—in 458 and 439 BC. After defending Rome, each time he voluntarily relinquished political power to resume private life as a farmer. The Founders believed that such men were examples of **civic virtue**, and Americans should emulate them. Indeed, many admired George Washington as “our Cincinnatus,” because he sacrificed his private pursuits to lead the nation in war and peace. He then voluntarily relinquished the presidency after two terms in office, though some would have made him an American monarch. Early Americans believed that Washington was an example of the civic virtue that should motivate all citizens.

- **Moral education** Classical republican thinkers believed that civic virtue must be learned. Moral education included instruction in “civil religion”—the symbols, rituals, and values of the society. Moral education also required that children develop proper habits, including generosity, self-control, respect, fairness, and courage—all of which were necessary for speaking and reasoning well. Moral education entailed learning to admire

the achievements and civic virtue of the heroes described in history, literature, poetry, and music. Young people also needed to learn the importance of participating in political debate and performing military service.

An important component of moral education was instilling in children the importance of developing and preserving a good reputation. People needed to be able to trust one another in the conduct of their daily affairs, and so they needed to behave morally.

Civic virtue included supervising and nurturing the next generation of citizens. Classical republicans believed that the entire community was responsible for the moral education of the young.

In colonial America small, homogeneous communities and churches assumed responsibility for instilling proper habits and practices. The founding generation believed that if individualism and self-interest were allowed to flourish unchecked, then community life would suffer. Small, uniform communities that emphasized civic virtue and moral education, as the classical republics of antiquity had done, appealed to some of the Founders as means of tempering selfishness and corruption.

WHAT DO YOU THINK?

- 1 Identify someone living today who you believe shows civic virtue. Explain the reason for your choice.
- 2 What did classical republicans believe should be the goal of education? Do you agree? Why or why not?
- 3 What civic virtues are important for young people to have today and why?
- 4 What similarities and differences are there between your ideas about rights and those of the classical world?
- 5 What might be the consequences to individuals and a society of too great an emphasis on the common good at the expense of individual rights?

WHAT IS THE ROLE OF PHILOSOPHY IN THE STUDY OF GOVERNMENT?

Consider these words:

“ 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.

Declaration of Independence, 1776

This excerpt from the Declaration of Independence explains why so many Americans felt justified in separating from Great Britain. It also includes some of the most important philosophical ideas underlying our government. These ideas were familiar to most of the intellectual leaders in the American colonies long before the Revolutionary War. They had been preached in churches, written in pamphlets, and debated in public and private. They had been developed and refined by political philosophers beginning in the 1600s, a century of revolution and civil war in Europe, in an attempt to repudiate the theory of **divine right** of kings. Divine right was the idea that monarchs derive their authority from God. Thus to disobey them or to attempt to replace them or limit their powers is contrary to the will of God. Contrary to divine right, the belief became prominent that self-government is required to lay the foundations for social peace and a just society.

The theory of government set forth in the second paragraph of the Declaration of Independence is from **natural rights** philosophy. This philosophy begins by imagining what life would be like in a **state of nature**. A state of nature is any situation in which there is no government—that is, no recognized authority to make and enforce rules and manage conflicts.

Thinking about what life would be like in a state of nature is a useful way to explore some of the most basic questions of political philosophy. Such questions include

- What is human nature? That is, what traits of personality and character, if any, do all people have in common? Are people selfish? Do they have the capacity to care for the good of others?
- What should be the purposes of government?
- Where should people in positions of power get their authority to govern?
- How should a government be organized?
- What kinds of government should be respected and supported?
- What kinds of government should be resisted and fought?



Why might the ideas of self-government contained in the Declaration of Independence have been considered radical at that time?

CRITICAL THINKING EXERCISE

Thinking Like a Political Philosopher

Why do people need society and government? If society and government are necessary, what makes them legitimate? What makes them good?

To explore these questions, imagine that you and your classmates have been transported to a place where no one has ever lived. When you arrive, there is no government. There are no laws or controls over how you live. Everyone is free—that is, no one is under an obligation to obey a constituted authority because there is none. You have no means of communicating with people in other parts of the world.

Discuss your responses to the following questions. Think about how your responses reflect your views as a political philosopher.

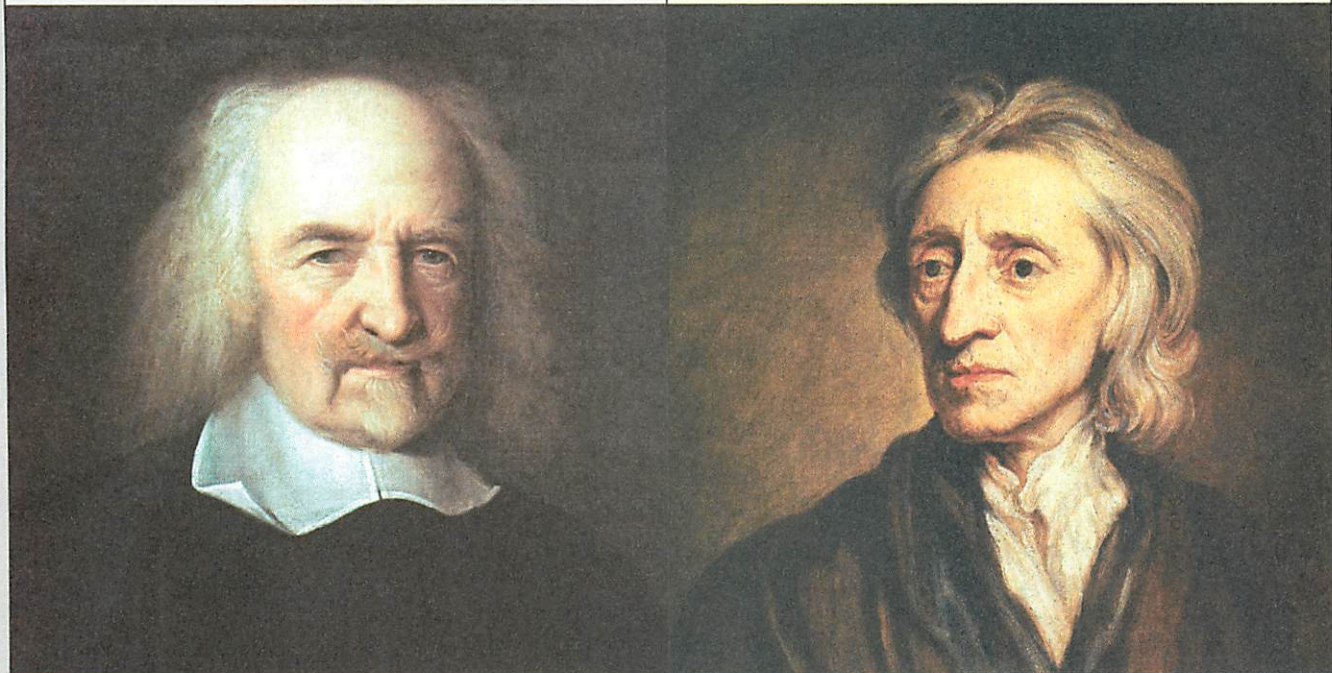
- 1 What would life be like if there were no government, rules, or controls?
- 2 Would people in the situation described above have rights or duties? If so, how would those rights and duties be enforced?
- 3 What might happen if some people were stronger or smarter than others? Why?
- 4 What might weaker or less sophisticated people try to do? Why?
- 5 Why might people in the situation described above choose to trade some or all of their freedom to live in society or form a government?

WHAT VALUES FROM NATURAL RIGHTS PHILOSOPHY INFLUENCED THE FOUNDING GENERATION?

The seventeenth century was a period of intellectual and social revolution in England. Classical republican theories about the purpose of society and government seemed unable to provide guidance in a century of rapid change. English philosophers, such as Thomas Hobbes and John Locke, thought that political philosophy needed a fresh start, one that focused on the rights of individuals. They originated the way of thinking about human nature and politics that we know as natural rights philosophy. This philosophy argued that humans are not naturally social and traced government to an imaginary state of nature.

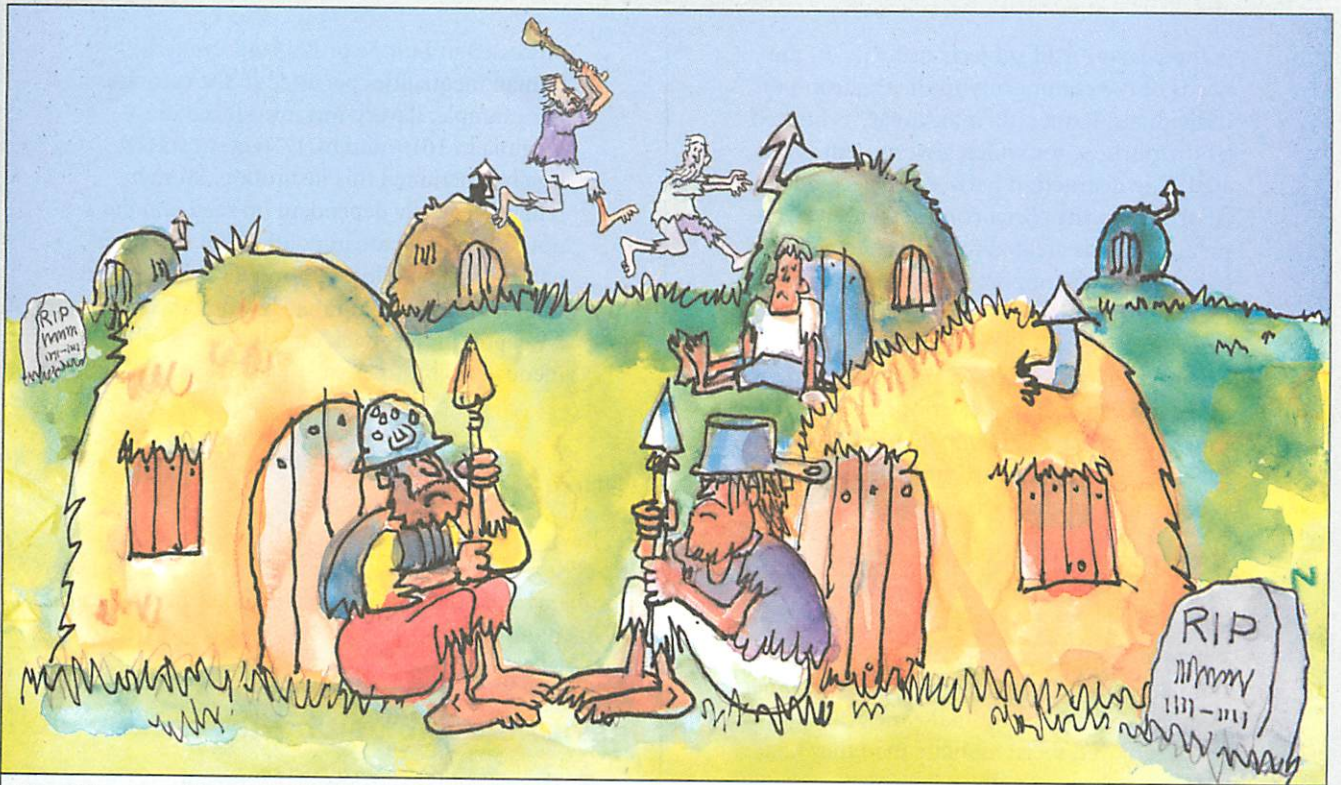
Hobbes argued that a state of nature gives rise to a “war of every man against every man,” in which individuals fear violent death at the hands of others. Perpetual war in the state of nature would make life “solitary, poor, nasty, brutish, and short.” The ensuing chaos would cause humans to agree to leave the state of nature by entering into a social contract. Through that contract, Hobbes argued, they would consent to an authoritarian state that Hobbes called “Leviathan,” named for a mythical sea monster mentioned in several passages in the Hebrew Bible (Old Testament). Thus to maintain order, stability, and peace, according to Hobbes, the Leviathan state must rule largely by fear.

Locke argued that in a state of nature all people are free, equal, and rational. Each individual possesses **inalienable rights** to “life, liberty, and estate [property].” In a state of nature each person also has the right to



Which of Hobbes's ideas do you find most interesting? Why?

Which of Locke's ideas do you find most interesting? Why?



Does this cartoon illustrate Hobbes's or Locke's view of the state of nature? Why?

punish those who do not follow reason and respect the rights of others. People could not survive in the state of nature because most people would seek personal advantage. To secure their natural rights, people would agree through a “social contract” to leave the state of nature and form a civil society. To protect natural rights a second agreement—to form government—also would be needed. Locke argued that if government fails to protect individual rights, then the people are entitled to replace it, if necessary by revolution. This idea became a key argument of the Declaration of Independence.

Natural rights philosophy found fertile ground in early America, where vast resources, huge expanses of land, and the great distance from England allowed freedom and materialism to flourish. Consequently several aspects of natural rights philosophy influenced the founding generation, including the following:

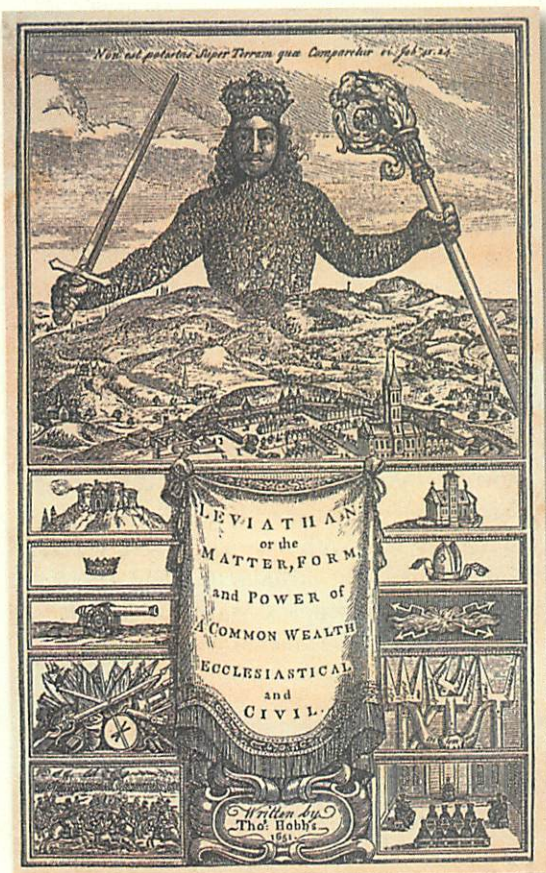
- **Individual rights** Natural rights philosophy emphasizes the existence of inalienable rights of each person, regardless of wealth, social status, or birth. Americans in the founding generation were keenly aware of their rights. Before the Revolution they thought of themselves as British citizens who enjoyed the rights of subjects as those rights had evolved over the centuries in England. During the revolutionary crisis they came to think of their rights more in Lockean terms,

as personal, inherent, and inalienable. As you will learn in more detail in later lessons, social conditions in America contributed to this shift in thinking.

- **Popular sovereignty/government by consent** According to natural rights philosophy, government is created and derives its authority from the agreement of the people, which is called **popular sovereignty**. If people must give their consent to be governed—by agreeing to a social contract or joining a society that already has been established—then it follows that they can withdraw that consent because sovereignty, or ultimate governing authority, rests with the people. Thus natural rights philosophy includes the **right of revolution** and the people's right to create whatever form of government they believe best suits their needs.
- **Limited government** By focusing on the individual and on **social contract theory** as sources of **political legitimacy**, Locke and other writers laid the foundation for limited government. From this new perspective the purpose of government is to serve private ends, especially protection of individual life, liberty, and property. Those who exercise governmental power may not make and

enforce laws on all subjects or focus on the needs of the community to the exclusion of individuals. Rather, their authority is limited by the purpose for which government is created. The distinction between society, which is formed by the social contract, and government, which is created to reflect the needs of society, further supports the idea that governmental power should be limited. Government is the creature and the creation of society. The sovereign people own their government and control it through elections and other means. Because it is theirs, they can terminate it when it does not guard their interests and meet their expectations.

- **Human equality** Locke argued that in a state of nature all people are free from one another's control and are equal to one another. All are born with equal political rights. Neither God nor nature makes some people rulers and other people subjects. In colonial America more people enjoyed social mobility than they had



Do Hobbes's ideas about the establishment of authoritarian states to promote order, security, and peace have any relevance today? Why or why not?

possessed in Europe or England. Nonetheless, human inequalities persisted in the colonies. For example, slavery was introduced in Virginia in 1619, and by 1776 every colony legally sanctioned this institution. Women remained legally dependent on men and did not fully participate in political life. However, natural rights philosophy and its commitment to human equality ultimately would become a weapon in the attack on slavery and other inequalities in America.

WHAT DO YOU THINK?

Revisit your responses to the Critical Thinking Exercise earlier in this lesson. How do your answers compare to the values of classical republicans and natural rights philosophers?

REVIEWING AND USING THE LESSON

- 1 How would you describe the differences between classical republicanism and natural rights philosophy? How are those differences important in thinking about the purposes and goals of government?
- 2 What is civic virtue? How is it fostered in small, uniform communities? In large, diverse communities?
- 3 What are the advantages and disadvantages of using the state of nature to explain society and politics?
- 4 What is meant by *social contract*? How is it connected to the idea that government derives its authority from the consent of the governed? What is the significance of the idea that society and government are based on agreements rather than occurring naturally?
- 5 If you were asked to create a government that reflects principles of both classical republicanism and natural rights philosophy, which elements of each would you use? Why?
- 6 What might be the consequences for individuals and society of too great an emphasis on the rights of individuals over the common good?
- 7 Examine the Preamble to the U.S. Constitution (see Reference section). What influences, if any, of classical republican and natural rights philosophies do you find?