



A protester holds a sign during a demonstration against the Dakota Access oil pipeline in Washington, DC in March of 2017. The actions of these water protectors highlight that the claiming of rights is fundamental to American democracy.

Justin Sullivan / Staff /Getty Images

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AMERICAN POLITICAL STORIES

Claiming Rights, Demanding to Be Heard

LEARNING OBJECTIVES

By reading this chapter, you will be able to do the following:

- 1.1 Explain how diverse Americans have used the political process to make claims on their fundamental rights and freedoms.
- 1.2 Define the key elements of American political culture.
- 1.3 Identify the political, social, and economic events and institutions that gave rise to the American Revolution and reflect upon what was and was not achieved.
- 1.4 Describe the core features of American political institutions.
- 1.5 Assess the ways in which the “Letter from Birmingham Jail” draws upon core American ideals.

In my undergraduate Introduction to American Government course at the University of Minnesota, on the first day of class I often tell my students, “I don’t care *what* you think,” which does tend to generate some uncomfortable silence. But I mean it. Before things get too out of hand, though, I quickly follow up with, “However, I care very much about *how* you think. That is what this course is about.”

This book is no different. My hope is that it will help you to question what everyone tells you that you *should* know or think, to become more confident in making your own ideas known, and to sharpen your ability to interpret for yourself the political world around you. This book uses stories to help accomplish those goals. These stories are a central part of the book’s structure and objectives. Each chapter’s stories illustrate important concepts in the study of American politics. They are meant to make those ideas come to life—to help you understand that American government is not something that exists apart from you. And because they are *real* stories, in all their messy, complicated glory, they will also encourage you to think in ways that are not either/or and to walk in the shoes of people who may be very different from you.

Some of these stories may be familiar to you; some of them won’t be. Even when we go back to events and people in history that you may have read about and studied, we will usually be doing so using a different lens: We will be trying to assess the political landscape as *they* perceived it—their choices as they saw them, the opportunities they hoped to take advantage of, the lack of rights and freedoms they observed and that they wanted to change.

In this chapter and in the book generally, we raise fundamental questions when we try to define what we mean by a “good government” or a bad one. Whose rights get protected? Whose get restricted? Who gets to decide? The stories told in this book illustrate how big questions like these are resolved, revisited, and re-resolved through **politics**, the process of influencing the actions and policies of a **government**. Politics and government are closely connected, but they are not the same thing. Politics describes processes; government describes the rules and institutions that arise from political action and conflict and that structure future political action. Throughout the book, we’ll hear from people who have engaged with those institutions and who have taken part in those processes.

Many of the stories in this book don’t have clear heroines, heroes, or villains. Many of them do not have tidy endings either. At the end of the day, the point is not whether a person or a group of people won or lost but that they acted, that they participated in politics, just as you will be encouraged to do. This book is very much meant as a handbook, like a nature book a person might carry around on a hike and not think to look at until some spider or gopher jumps out and gets their attention. It is meant to be a useful tool for those who would try to understand and shape the political worlds around them. Nothing more, nothing less.

Read the stories; absorb the nuts-and-bolts facts and concepts that emerge along the way in these chapters. Most important, however, connect the two. Use the stories to more deeply understand the complexity of American politics, then and now. Use them to understand the diversity of the voices that are a part of the national conversation. Use the stories to make your own voices stronger, better informed, more politically savvy, and more effective.

In this book, I will quote individuals whose words or ideas some will strongly disagree with or find objectionable. But this is necessary; we will not shy away from that at all. Also, this book will not offer any one political, theoretical, or academic perspective. Instead, we will do our best to understand the political world as those who have participated in it did. How did they assess the political landscape and shape their political participation accordingly? How did they use the political tools available to them or make new ones?

We start with members of the Standing Rock Sioux Nation claiming their rights, not only in protesting an oil pipeline but also over the land and the water and the future on which it depends. We then go back in time to the American Revolution and Thomas Jefferson’s drafting of the Declaration of Independence before concluding by fast-forwarding to Dr. Martin Luther King Jr.’s “Letter from Birmingham Jail.” What could these stories possibly have in common? In them we will witness the efforts of vastly different people who have wrestled with what fundamental rights and freedoms mean in American democracy and see how they as individuals and groups have tried to answer that question, staking their own claims upon their rights.

STANDING ROCK: WATER PROTECTORS CLAIM THEIR RIGHTS AND FREEDOMS IN NORTH DAKOTA

Shekóli. A single arrow may be snapped over one's knees with ease, but a bundle of arrows may not. This old adage is exemplified by the strength and fortitude shown by the gathering of water protectors in Hunkpapa territory north of the Standing Rock Sioux nation.¹

In the letter quoted above, Ray Halbritter, chair of the Oneida Nation of New York and publisher of *Indian Country Today*, was referring to protests aimed at stopping a \$3.7 billion pipeline project designed to transport oil from the rich Bakken fields of North Dakota to Illinois, where it could then be sent along to major refineries and oil markets. Energy Transfer Partners (ETP), one of the largest owners and operators of oil and natural gas pipelines in the United States, was the parent company to the developers.²

Though the pipeline would run mostly through private land, whose owners had largely already ceded access, it would also be running under bodies of water. This brought federal agencies into the mix, especially the U.S. Army Corps of Engineers, who were tasked with studying the pipeline's potential environmental and cultural impacts and risks.³ By early 2016, the Army Corps had issued all necessary permits. Other federal agencies, however, including the Environmental Protection Agency (EPA) and the U.S. Department of the Interior, urged the Army Corps to undertake a more thorough environmental impact assessment.

The Dakota Access Pipeline's path would take it just north of the Standing Rock Sioux Reservation and under Lake Oahe, a body of water whose creation decades before had displaced members of the Standing Rock Nation when a portion of the Missouri River was dammed to produce electricity and control floods. "Out there, I lived down there with my grandmother and grandfather," said Verna Bailey when interviewed for the *New York Times*. "We had a community there. Now it's all gone."⁴

In April 2016, a small group of people from the Standing Rock Sioux Reservation began gathering and camping near the banks of the Cannonball River on Army Corps land to protest and educate. Each day they would walk about a mile to a construction site. Through exercise of their civil liberties of free speech, freedom of the press, and free assembly, the protesters aired their grievances with the federal government. They demanded tribal sovereignty, the preservation of sacred places, and water.

They worried about a potential oil leak into the waterways upon which they and other Americans downstream depended: "'We say 'mni wiconi': Water is life,' said David Archambault II, the chairman of the Standing Rock Sioux . . . 'We can't put it at risk, not for just us, but for everybody downstream. . . . We're looking out for our future, the children who are not even born yet. What is it they will need? It's water. When we start talking about water, we're talking about the future generations.'"⁵

The Standing Rock protesters were few in number and off the national radar when they started. In the summer and early fall of 2016, that began to change. Members of 280 indigenous nations joined the protests "in what activists [called] the largest, most diverse tribal action in at least a century."⁶ They were later joined by nonindigenous supporters from across the country, #NoDAPL on Twitter, and Facebook campaigns to show solidarity. A group of military veterans announced in November that up to two thousand of their members would join Standing Rock to act as "human shields" and stand against, in their words, the "assault and intimidation at the hands of the militarized police force."⁷

Like others who had claimed their rights before them, residents of Standing Rock and their supporters used tools other than protest. They also pursued legal action to stop construction until a thorough study of the pipeline's impact on sacred sites and potential environmental impacts was undertaken. In July 2016, the Standing Rock Sioux Tribe sued the U.S. Army Corps of Engineers to halt the issuance of permits and order a stop to construction near the Standing Rock reservation. They formed organizations such as the Water Protector Legal Collective to "provide legal advocacy, jail and court support, criminal defense, and civil and human rights to the Native peoples and their allies who gathered there."⁸



Members of the Colorado River Tribes hold a banner in September 2016 to show their support for Native Americans of the Standing Rock reservation who oppose the construction of the Dakota Access Pipeline. Although the protests started small, indigenous and nonindigenous supporters from around the country joined in to support the Standing Rock Sioux as they claimed their rights.

Robyn Beck / AFP / Getty Images

Interaction of the Protesters with Law Enforcement Officials Shows How Fundamental Rights and Freedoms Are Connected

As the Standing Rock protests grew in the summer and fall of 2016, tensions between the protesters and state, local, and federal law enforcement officers also grew. In August, construction began on the disputed portion of the pipeline. Less than two weeks later, North Dakota governor Jack Dalrymple declared a state of emergency, citing public safety risks associated with the protests. In September, he mobilized about thirty National Guard members to a security checkpoint up the road.

Many local landowners and residents became nervous, viewing, according to an article in the *New York Times*, “the demonstrations with a mix of frustration and fear, reflecting the deep cultural divides and racial attitudes.”⁹ There were charges of violence on both sides. In July, a protester’s hand was badly injured in an explosion, its source disputed. Protesters condemned private security contractors’ use of dogs, claiming that several of their number had been bitten.

Morton County sheriff Kyle Kirchmeier asserted that some protesters were believed to be readying pipe bombs. “Officers said that protesters had attacked them with firebombs, logs, feces and debris. . . . One woman who was being arrested, the authorities said, had pulled a gun out and fired at a police line.”¹⁰ Members of Standing Rock insisted that their protests were peaceful: “Weapons, drugs and alcohol are prohibited from the protest camp. Children march in daily demonstrations. The leaders believed the reports of pipe bombs were a misinterpretation of their calls for demonstrators to get out their wooden chanupa pipes—which have deep spiritual importance—and pass them through the crowd.”¹¹ In November, law enforcement officials used water cannons on protesters in subzero weather, citing aggressive behavior by members of a crowd numbering in the hundreds. Sixteen protesters were arrested.

Not all relations between protesters and law enforcement officials were heated. Some members of local law enforcement knew members of the Standing Rock Nation. Some protesters tried to educate officers and others about their goals. Mekaski Horinek, whose father had marched with labor leader César Chávez for agricultural workers’ rights, told a group of police while he was sitting in a prayer circle, “This isn’t just a native issue. We’re here protecting the water, not only for our families and our children, but for your families and your children. For every ranch and farm living along the Missouri River.”¹²



In February 2017, Standing Rock protestors set fire to their camp just before they were removed under an order signed by North Dakota's governor. Efforts to stop the pipeline continued in the courts, however.

Stephen Yang / Stringer / Getty Images

Although the original protest camp was on federal property, other protests and satellite camps were on private property, which local and state law enforcement officers noted in defending their actions.

Critics challenged connections between law enforcement and private security firms hired by ETP, citing email communications allegedly “showing an alliance between the pipeline’s private security firm, the FBI, the Bureau of Indian Affairs, North Dakota’s U.S. attorney’s office, and local law enforcement agencies.”¹³ There were sharp criticisms of what some saw as yet another example of the “militarization” of local law enforcement agencies. According to the American Civil Liberties Union, North Dakota received more than \$3 million worth of surplus military equipment through a Department of Defense program that began in the 1990s.¹⁴ “We need our state and federal governments to bring justice and peace to our lands, not the force of armored vehicles,” said Dave Archambault II, the chairman of the Standing Rock Sioux tribe. “We have repeatedly seen a disproportionate response from law enforcement to water protectors’ nonviolent exercise of their constitutional rights.”¹⁵

Arrested protesters claimed that their constitutional protections had been violated and that they had been arrested only to later—sometimes weeks later—have the charges dropped because, “although the protesters were on private property, no authority figure specifically requested that they leave.”¹⁶

The Water Protectors Disperse but Continue to Claim Their Rights

In the first weeks of his presidency, Donald J. Trump moved to speed up the pipeline’s completion, with the Army Corps formally approving construction of the last mile in February 2017. In a video broadcast in the Standing Rock camp, Linda Black Elk, a member of the protesters’ “healer council,” urged them to carry on: “Pray for the water. Pray for the people. Pray for the water protectors. Pray for the tribe.”¹⁷

The last group of protesters to hold out was forcibly removed under the evacuation order of North Dakota’s new governor, Doug Burgum, two weeks later. Forty-six were arrested. In all, more than six hundred protesters had been arrested since the protests began. The governor and the North Dakota state legislature took further steps: “About an hour after the protest camp was cleared, Mr. Burgum signed into law four bills that had been passed largely as a result of the protests. They expand the scope of criminal trespassing laws, make it illegal to cover your face with a mask or hood while committing a crime, and increase the penalties for riot offenses.”¹⁸ By early 2017, the Standing Rock protest camps had been cleared. Construction continued, as did legal efforts by members of the Standing Rock Nation. But the underlying questions—about the policies themselves and law enforcement’s responses to them—remained.

On his first day in office, President Joe Biden signed an executive order cancelling the cross-border permit for the Keystone Pipeline, a different line from the Dakota Access pipeline but one that had also been the source of protests and action. Following Biden's action, TC Energy, the sponsor of the Keystone Pipeline, abandoned the project.¹⁹ Though hopeful that Keystone's cancellation would lead to the ending of the Dakota Access line, water protectors were dealt a blow by the U.S. Supreme Court when it dismissed a legal challenge from the pipeline's sponsor, Energy Transfer LP. Though the Court left in place a requirement for an environmental impact study that had been ordered by a lower federal court, Energy Transfer was allowed to continue to operate the pipeline while the study was carried out.²⁰ Members of several Sioux Nations called on the Biden administration to end the contract with the reviewing agency, which they argued was too favorable to the energy industry, and to shut down the pipeline project for good.²¹

Fundamental rights and freedoms do not exist in a vacuum. As we can see, asserting such rights can draw in many other actors in the American political space, including the media, politicians, governmental agencies, law enforcement, the courts, and powerful interest groups. The protesters at Standing Rock were claiming their access to sacred places and to clean water. They used tools protected by the very first amendment to the U.S. Constitution: the freedom to speak, publish, and assemble in order to air grievances with the government of the United States. However, law enforcement's response to the actions of the protesters raised questions about the degree to which the freedoms of Americans are truly protected today when they are being investigated, arrested, and tried for crimes. We will explore these tensions when we examine civil liberties in Chapter 4.

Indigenous Americans, as members of both their tribal nations and the United States, have a different political relationship with the national government than other Americans, who are members of both the nation and the individual states.²² We will explore these differences in Chapter 3. For now, however, we note that the protection of fundamental rights and freedoms for all Americans has required action and participation, has often had to overcome tremendous resistance along the way, and will never be settled once and for all.

In the next section, we turn back to the American Revolution and the drafting of the Declaration of Independence, when a group of individuals set out to enumerate, and then defend, Americans' fundamental rights and freedoms. Their efforts, like those of the Standing Rock protesters, involved protest, conflict, and strategic political action.

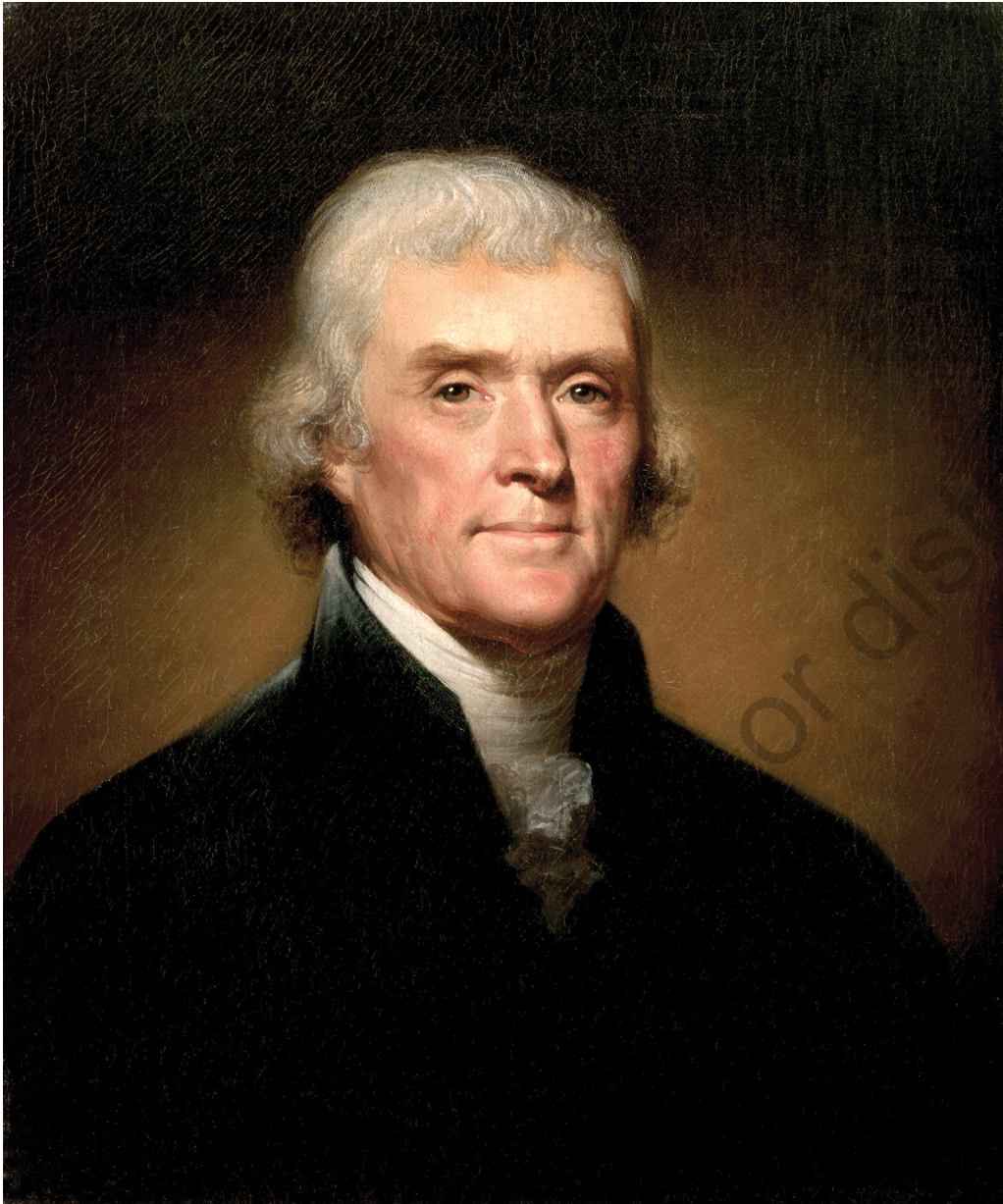
AMERICAN POLITICAL CULTURE IS BUILT ON A SET OF SHARED IDEAS

When members of the Standing Rock Nation asserted their rights, they did so on the basis of a handful of ideas that form the foundation of the American Republic itself. Indeed, these ideas were affirmed in the Declaration of Independence in 1776, making them part of the country's basic DNA: "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." These were revolutionary ideas, but they were not original ones. They weren't supposed to be.

In drafting the Declaration of Independence, Thomas Jefferson and his coauthors drew on a set of ideas about liberty and government that were widely known in the colonies and Great Britain—ideas Jefferson knew needed to be persuasive and compelling enough to successfully launch a revolution. From the histories and philosophical works of ancient Greece and Rome, they borrowed the idea of **democracy** (from the Greek *demos*, meaning "people," and *kratos*, or "power"), whereby power is held by the people.

They also borrowed from English Enlightenment philosopher John Locke, who had argued against the divine, or God-given, right of kings to rule with absolute power. Locke claimed that people are born with **natural rights** that kings cannot give or take away. A legitimate government, to Locke, is one that involves a **social contract**, in which people give to their governments the power to rule over them to ensure an orderly and functioning society. If a government breaks that social contract by violating people's natural rights, then the people have the right to replace that unjust government with a just one.

From the French Enlightenment, Jefferson and his colleagues drew on the works of Baron de Montesquieu, who gave an institutional form to the ideas of natural rights and the social contract in proposing that power in government should be divided between different branches so that no one branch can become too powerful. Jefferson also drew on Scottish Enlightenment thinkers such as



Thomas Jefferson in an 1800 painting by Rembrandt Peale.

GraphicaArtis / Getty Images

David Hume. Given the historical tendency of leaders to abuse political power, Hume believed a just government should be carefully designed and the lessons of science and history carefully applied to its structure to keep the greedy and ambitious from using political power to their own advantage. In applying scientific principles from studies of the natural world to human political action and interaction, Hume and others like him made major contributions to the modern study of **political science**.

Later in the chapter we will see how the ideas underpinning the Declaration of Independence gave rise to a revolution and helped form the basis for the institutions of modern government. Those ideas—liberty, equality, rights, happiness, and others—endure in other ways. Today they shape the shared set of beliefs, customs, traditions, and values that define the relationship of Americans to their government and to other American citizens. We call those shared beliefs **American political culture**.

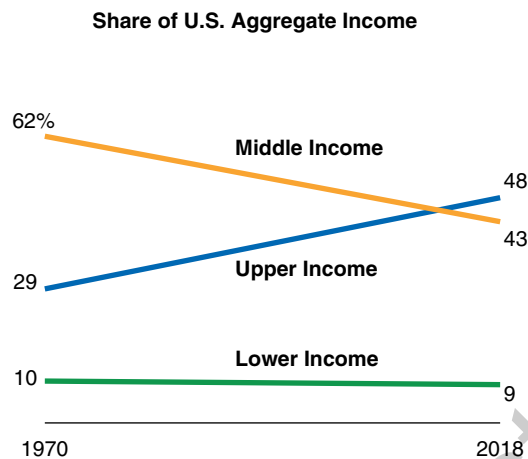
Equality Is About Having the Same Rights or Status

Central to all of this—and the first key idea expressed in the Declaration of Independence—is a commitment to equality, to all people having the same rights and status. This might involve **social equality**,

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FIGURE 1.1 ■ Growing Wealth Inequality in the United States



Source: Data from Juliana Menasche Horowitz, Ruth Igelnik, and Rakesh Kochhar, "Trends in income and wealth inequality," Pew Research Center, January 9, 2020, <https://www.pewresearch.org/social-trends/2020/01/09/trends-in-income-and-wealth-inequality/>. Accessed June 16, 2022.

in which no individuals have an inherently higher social status than others. Unlike Europe, with its nobility and royalty, America was founded on the idea that all individuals could reach the social status they sought through their own efforts. **Political equality** exists when members of a society possess the same rights under the laws of the nation. Gains in political equality for many groups of Americans—such as indigenous Americans whose efforts we began the chapter with—have been made over decades or centuries of political struggle, and many question whether political equality for all has been fully achieved.

Finally, **economic equality** refers to a situation in which wealth is relatively evenly distributed across society. America does not have economic equality. In fact, differences in wealth and incomes are as stark today as they have ever been in the nation's history (see Figure 1.1). Rather than emphasizing equality of economic *outcomes*, American political ideas tend to focus on ensuring equality of economic *opportunity*.

These are two very different concepts. For example, think about American public education in high schools. Equality of opportunity would mean that all students have a right to attend equally good public high schools. Equality of outcomes, however, might mean they have the right to achieve the same graduation rates or test scores. Americans weigh the differences between opportunity and outcomes all the time in seeking to resolve important civil rights issues and make choices about domestic public policy options.

Inalienable Rights Exist above Any Government Powers

The thinking behind the Declaration of Independence and the government that was eventually based on it is that some truths and some rights are *self-evident*. These are called **inalienable rights** in the sense that they exist before and above any government or its powers. Thomas Jefferson names "life, liberty, and the pursuit of happiness" as among those inherent, self-evident rights. Because they—unlike *privileges* a government might grant—may not rightly be taken away by a government, a just system of political rule must be constructed in such a way as to protect rights and their expression. Although specific rights of an individual may be taken away—such as when a person is incarcerated—the *process* through which that happens must itself protect those fundamental rights. To many of the Standing Rock protesters, the actions of law enforcement in restricting or suppressing their protests violated their procedural rights.

Liberty Involves Both Freedom from Interference and Freedom to Pursue One's Dreams

Another foundational American ideal expressed in the Declaration is a commitment to **liberty**—to social, political, and economic freedoms. That liberty might involve freedom *from* interference by a government or a freedom *to* pursue one's dreams. The degree to which the government should focus on freedom *from* or freedom *to* remains a hotly debated topic in American politics. There is often tension between these two visions of liberty. Consider the question of religious faith in a public high school: Suppose that a student wants to start a faith-based student club. The student may claim their freedom *to* explore their faith in this club. By allowing the group to meet, however, public school officials may risk violating other students' freedom *from* having a government endorse a particular religious faith or endorse religious over nonreligious beliefs.

The Pursuit of Happiness Is at the Core of the American Dream

When Thomas Jefferson wrote about “the pursuit of happiness,” he was tapping into another core American political value: the belief that individuals should be able to achieve prosperity through hard work, sacrifice, and their own talents. The idea of the **American dream** has drawn immigrants to the nation's shores and borders since its founding, and it continues to do so today. Some observers, however, question whether the American dream remains alive and well in an era of such profound economic inequality.

American Political Culture Has Many Roots

Religious traditions have had more of an impact on American political culture than they have had on many modern democratic governments. Some of the very first British colonies were founded by groups of individuals fleeing persecution for their religious beliefs and hoping to practice their faiths without interference. Though the diversity of religious faiths represented in American society continues to expand, America was, and is, a nation partly defined by religious faith and expression. In this book, we will continue to explore how a nation founded on liberty, especially religious liberty, wrestles with decisions about whether, or how, to place boundaries on religious expression.



Nan Dubin (left) of East Wallingford, Vermont, reads a prompt to Mahsen Bouchnak, originally from Syria, who immigrated to Vermont in January 2017 along with her two boys. Dubin has worked with the Bouchnaks and other refugee families since their arrival at the beginning of 2017. At its most basic level, the American dream promises hope and opportunity for all.

Sarah Priestap / The Washington Post / Getty Images

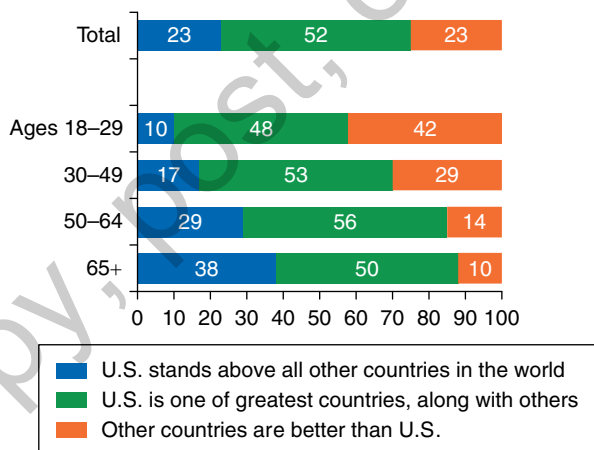
Today, questions about the proper role of religion in the nation endure. What kinds of holiday displays are acceptable for a community to officially sponsor? Would a ban on immigration by members of specific religious faiths be constitutional?

American Exceptionalism Flows from the Nation's Historical Development

Finally, when Americans tell stories about themselves, their politics, and their histories, they often refer to the ways in which the nation is different because of the historical patterns of the nation's development. **American exceptionalism** refers to these historical and cultural differences, shaped in many ways by the voices of those who have contributed to the national chorus but also by the fact that America was an experiment, starting anew, without the legacy of the European monarchies to constrain its promise.²³ The idea of an exceptional America is not a new one. In 1630, Puritan leader John Winthrop delivered a sermon to a group of immigrants from Britain on board their ship as they waited to land in New England. In it he exhorted, "We must Consider that we shall be as a City upon a Hill, the eyes of all people are upon us."²⁴ Although the idea of an exceptional America has deep roots in the nation, views of the nation's place in the world differ by age (see Figure 1.2).

FIGURE 1.2 ■ Americans' Beliefs About the Nation's Role in the World, by Age

Which of these statements best describes your opinion about the United States? (%)



Source: Data from Hannah Hartig, "Younger Americans still more likely than older adults to say there are other countries better than the U.S.," Pew Research Center, December 16, 2021, <https://www.pewresearch.org/fact-tank/2021/12/16/younger-americans-still-more-likely-than-older-adults-to-say-there-are-other-countries-better-than-the-u-s/>. Accessed June 16, 2022.

THE AMERICAN REVOLUTIONARIES EMPLOY STRATEGIC POLITICAL ACTION

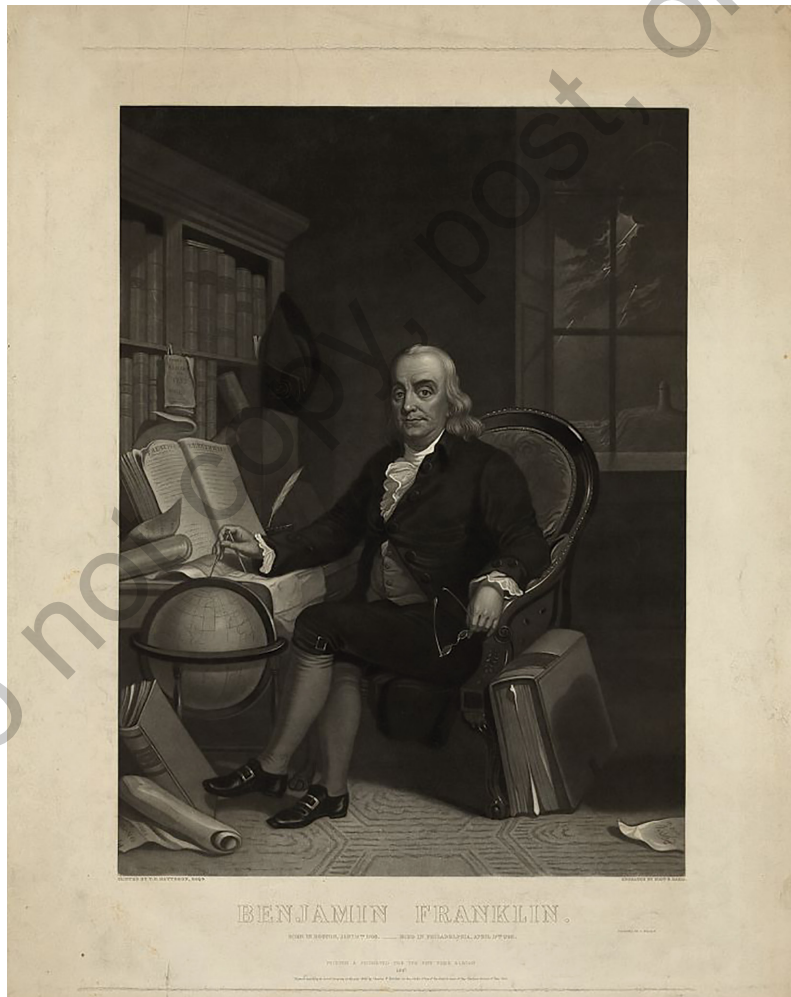
In April 1607, three British ships made their way up what would later become known as the James River in Virginia. After deciding on a spot far enough up the river to avoid Spanish warships, they established Jamestown, the first permanent British settlement in the modern-day United States of America.²⁵ Over the course of the next 170 years, the turbulent political, economic, and social experiences they faced would shape the conditions that led to their eventual separation from Great Britain and establish the foundations of a set of institutions that continue to influence American politics today.

Colonial Settlements Establish a Precedent for Independence

The colonists who established Jamestown hoped to find gold, harvest forest products, and maybe discover a valuable trade route.²⁶ Though chartered by the crown, the British colonists at Jamestown—and those who would follow them—were subject to less oversight than those sent out by the governments of France and Spain. From the beginning, British colonists began to develop their own political institutions. In 1619, the Virginia colony formed its own legislative assembly, the House of Burgesses, which was the first elected assembly in colonial America.²⁷ Each of the other thirteen colonies eventually did the same. These assemblies instilled in their colonies a tradition of self-governance and a resistance to being told what to do by Great Britain, especially by the British legislature, Parliament. In terms of the subsequent development of the thirteen British colonies and the American states that later grew out of them, the initial political and economic structure of the colonies proved to be as important as any other factor. The colonists' history and sense of autonomy would increasingly come into conflict with the policies of a British empire bent on increasing control.

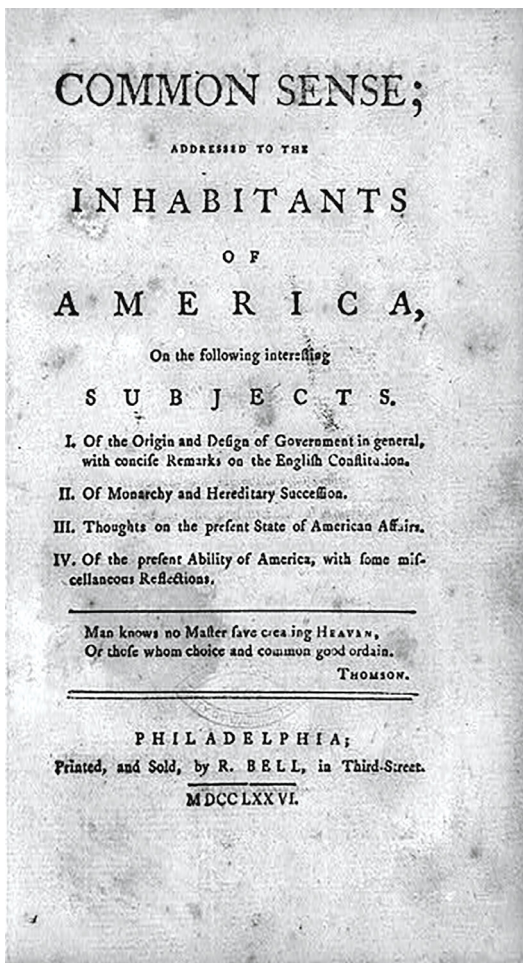
A Global War Forces Change in Colonial Policy

The Treaty of Paris in 1763 ended the fourth major military conflict between two global powers, France and Great Britain, in less than seventy-five years. In Europe, this conflict was known as the **Seven Years' War**.²⁸ In the American colonies, it was known as the French and Indian War. Fighting took place across the globe and involved most of the European powers of the time.



Benjamin Franklin's skill in strategic politics as a representative of the would-be Republic abroad proved to be crucial to American independence.

Courtesy of the Library of Congress, Prints and Photographs Division



The cover of Thomas Paine's pamphlet *Common Sense* (1776).

Library of Congress

The North American part of the war began when members of the Ohio Company, a land speculation company established by a group of wealthy Virginians, pushed Virginia's claims on indigenous lands in the Ohio River Valley into lands claimed by France.

Hoping to coordinate alliances with indigenous peoples—and to keep them from allying with the French—Great Britain requested that its colonies meet at a conference in Albany, New York, in the summer of 1754.²⁹ The so-called Albany Congress accomplished very little. However, one of its delegates, Benjamin Franklin, who later became America's first international celebrity, presented to the Congress a plan for closer coordination between the colonies. The **Albany Plan** called for a "Plan of Union," in which colonial legislatures would choose delegates to form an assembly under the leadership of a chief executive appointed by Great Britain.³⁰ This governing body would have power over dealings with Native American peoples and collective self-defense. And, in a premonition of an issue that would return again in debates over governance of the victorious United States, it would have the power to tax the colonies to pay for their collective defense.

Benjamin Franklin's proposal for a unified legislative body was not adopted by the colonial governments. It was not an idea whose time had come. Great Britain preferred to deal with its North American colonies individually rather than as a potentially powerful unified colonial legislature. For their part, many colonies did not want to give up their own sovereignty, especially when it involved land claims that might allow a lucky few colonies (especially Virginia) to grow even larger and more powerful at the expense of the small coastal colonies, such as Rhode Island and Delaware, whose boundaries were constricted by the ocean and those of neighboring colonies.

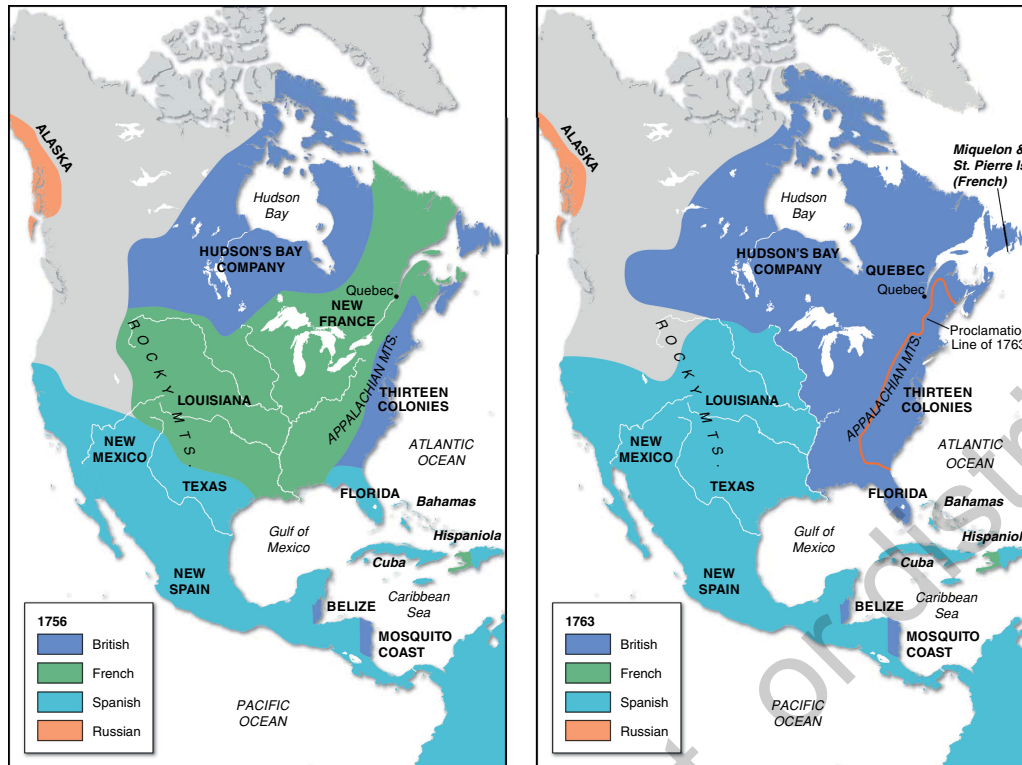
Benjamin Franklin may not have expected his plan to be adopted. He was a very savvy politician. But his plan did plant the seeds for an American union. Writing four years later, Franklin discussed the "impossibility" of an American union at that time, stating, "When I say such a union is impossible, I mean without the most grievous tyranny and oppression."³¹ In the minds of many American revolutionaries, they would get just that.

After the Seven Years' War, Great Britain was the unquestioned European power in Canada and in the modern United States east of the Mississippi River. With victory, however, came problems: Great Britain now had to confront increasingly assertive colonies. It had acquired a vast new territory that needed to be administered, defended, and paid for. But money was scarce. War had left Great Britain with a significant amount of debt, and the British government fully expected its thirteen colonies to pay the British Crown to cover their costs and not to make the debt problem even worse.³² (See Figure 1.3.)

Beginning in 1763, Parliament passed a series of acts and proclamations that enlarged the scope of Great Britain's involvement in colonial affairs, producing a backlash from colonists who felt that Great Britain was going too far. To make matters worse, these acts were instituted during an economic depression in the colonies. Colonial legislatures became increasingly resistant to Parliament's interference in areas of economic life that the colonies had been in charge of for decades.

The Idea of Independence Is Given Voice in Political Propaganda

In this uncertain political environment, there were a few colonists who advocated resistance to Great Britain, some who remained loyal to Great Britain, and many more who were undecided and afraid of actions that might lead to a hopeless war against the greatest military power in the world. It was this last group, the undecided, who found themselves in the crosshairs of a radical few. Those few had a powerful, cheap, and flexible technology on their side. It was called the printing press, and the American radicals used it very well.

FIGURE 1.3 ■ European Territorial Claims before and after the Seven Years' War

Following the Seven Years' War, Britain laid claim to much of the territory once held by the French, thus consolidating its power in the eastern portion of North America. Administering those colonies and finding ways to fund expansion were enormously difficult.

From the printing presses came inexpensive and easy-to-produce papers called pamphlets; the printers came to be called pamphleteers. Enough people had access to and the ability to read their products to make the pamphlet a revolutionary technological innovation.³³ The pamphleteers were engaged in **political propaganda**; their goal was to change public opinion and thus influence people's actions.³⁴ American pamphleteers were not trying to show their intelligence or literary skill. They were trying to mobilize people in support of their cause. Words and ideas, as the pamphleteers knew well, could also constitute strategic political action.

Of all the American pamphlets, the most widely read was Thomas Paine's 1776 pamphlet *Common Sense*, which was a massive bestseller in its day. *Common Sense* ultimately "had more influence in focusing the spirit of revolt than the writings of all the intellectuals taken together."³⁵

Calling King George III the "royal brute of England," Paine challenged the legitimacy of the British monarchy, refuted arguments in favor of reconciling differences with Great Britain, and announced that "the period of debate is closed."³⁶ He used the dreaded *I* word, *independence*, writing that independence from Great Britain was not only possible but sure to come to pass.³⁷ Drawing on the idea that the American colonists had a unique destiny in the world and in history, Paine called the colonists into action at just the time when many were ready to receive his message.

Revolutionaries Take Action, Their Eyes on Increasing the Powers of Colonial Legislatures

Words alone, however powerful, were not enough to mobilize the colonists to make a final break from Great Britain. Colonial radicals began a planned strategy of resistance—one that involved propaganda, organization, and occasionally violence. A phrase we commonly associate with resistance to British tax policy is "No taxation without representation!" Although it was used at the time, the phrase did not fully capture the struggle between colonists and Great Britain.



Crispus Attucks and four others were shot and killed at the Boston Massacre.

Library of Congress

It might seem logical to assume that a protester declaring “No taxation without representation” wanted to gain representation, in this case by electing a member of Parliament who could promote the interests of the colonists. American radicals, however, generally did not want to be represented in Parliament. Representatives would have been out of communication with the colonies during debates, given the vast distances involved, and would have been consistently outvoted in Parliament. Instead, the colonists argued that the power of taxation should be held by colonial legislatures, not British Parliament. In many ways, colonial opposition to British policies was conservative rather than revolutionary. Its adherents wanted to go back to the way things had been prior to the Seven Years’ War, when British colonial policy was more hands-off. Economic and political realities, however, made this an unrealistic goal.

The Sons of Liberty Attempt to Mobilize Colonists around British Tax Policies

In 1765, in response to Great Britain’s tax policies, a group of merchants and laborers, including Sam Adams, formed the **Sons of Liberty**. It was a working-class organization, with a potentially much larger appeal to the general public than the revolutionary elites had. That potential made the Sons of Liberty both attractive and scary to the wealthy elites in the revolutionary movement. They feared they might not be able to control the actions of the Sons of Liberty. Through rallies, sermons, protests,

and heavy use of the newspapers, the Sons of Liberty tried to mobilize public opinion in support of resistance to Great Britain and its tax policies. They also resorted to mob violence, including rioting and looting.

The group’s violent actions backfired as a political strategy, sparking fear among uncommitted colonists. In response, radicals changed their strategy. They planned and organized boycotts of British goods, pressuring fellow colonists to comply.

In October 1765, at the invitation of Massachusetts’s colonial legislatures, nine of thirteen colonies sent representatives to New York to prepare a colonial response to Britain’s policies.³⁸ This so-called Stamp Act Congress (named after the Stamp Act, another British tax) issued a Declaration of Rights and Grievances, which was, in many ways, quite mild. Although it protested the imposition of taxes without colonial consent, it also affirmed colonial loyalty to the British Crown. Most important, however, the Stamp Act Congress was an assembly of representatives from different colonies, an early example of the colonies working together.

The Crisis Accelerates as Protests Intensify

Despite continuing tensions, the next few years were relatively quiet politically, with radicals losing power and influence. Beginning in 1770, however, that began to shift.

The exact sequence of events leading up to the Boston Massacre in 1770 is not entirely clear, nor is the exact role of radicals in escalating the situation. It involved a confrontation between a mob of

Bostonians and a small group of British soldiers, beginning with taunts and snowballs and ending in the deaths of five American colonists. Sam Adams and other radicals quickly mobilized to use the press to rally support for their cause, describing “the blood of our fellow citizens running like water through King Street.”³⁹

The Boston Tea Party Adds Fuel to the Revolutionary Fire

In 1773, the Boston Sons of Liberty seized upon another conflict to create further division between the colonists and Great Britain. It began over a bailout of the East India Company by the government of Great Britain. Though corrupt and poorly managed, the East India Company was no ordinary company. It ruled much of India with its own private army. It could count among its investors some of the wealthiest and most powerful men in Great Britain. It was—in modern terms—too big to fail. But the company was nearly bankrupt, and it had large stocks of unsold tea.

It needed a bailout, and it got one with the Tea Act, passed by Great Britain in 1773. The act gave the East India Company a tax-free monopoly on the tea trade to the colonies. New England merchants were not pleased and saw “ruin staring them in the face.”⁴⁰

It was the fear of what Great Britain might do next as much as what it actually *had* done that drove many merchants into the radical camp. In late 1773, three ships entered Boston Harbor loaded with tea. With the merchants increasingly on their side, the Sons of Liberty provoked a crisis, dumping the tea from the ships into the harbor, an event known as the Boston Tea Party.

Not everyone in the American colonies cheered the actions of the radicals. Their lawlessness worried many. The violence that accompanied the protest seemed to some completely unjustifiable. Despite the limited support for the radicals, their strategic actions placed the British government in a very difficult situation. It could not ignore the attack on British property and commerce. Asserting control, however, risked driving moderate colonists into the radical camp.

Parliament, with the support of King George III, clamped down. Hard. In a series of actions in 1774, known in the colonies as the **Intolerable Acts**, Britain sought to make an example of Massachusetts and its radicals. If Parliament and the Crown thought that this show of resolve—backed, if necessary, by force—would quiet the colonies, they were wrong. Instead of driving a wedge between the colonies, the Intolerable Acts brought them together. Writing many years after the Revolution, John Adams observed this:

The colonies had grown up under constitutions of government so different, there was so great a variety of their religions, they were composed of so many different nations . . . that to unite them in the same principles in theory and the same system of action, was certainly a very difficult enterprise. . . . Thirteen clocks were made to strike together—a perfection of mechanism which no artist had ever before effected.⁴¹

The actions of the British government and the Boston radicals had both helped to synchronize these thirteen clocks.

Enslavement Denies the Natural Rights of Black Individuals in the Colonies and the New Nation

The first group of twenty Africans arrived in Jamestown, Virginia, in 1619 aboard a Dutch ship. Like the indigenous peoples whose lands had been taken and occupied by British settlers, the African peoples who followed this small group came from diverse cultures, nations, and kinship groups. Initially, some were given the status of indentured servants—people who still possessed the ability to pay off their “debts” through labor and achieve their freedom. Throughout the seventeenth and eighteenth centuries, white individuals arrived from Europe who also carried the status of indentured servitude. As the plantation economies of colonial America developed, however, enslaved Africans and their descendants confronted legal systems designed more and more to strip them of any legal or political rights or any hope of freedom under that legal order.

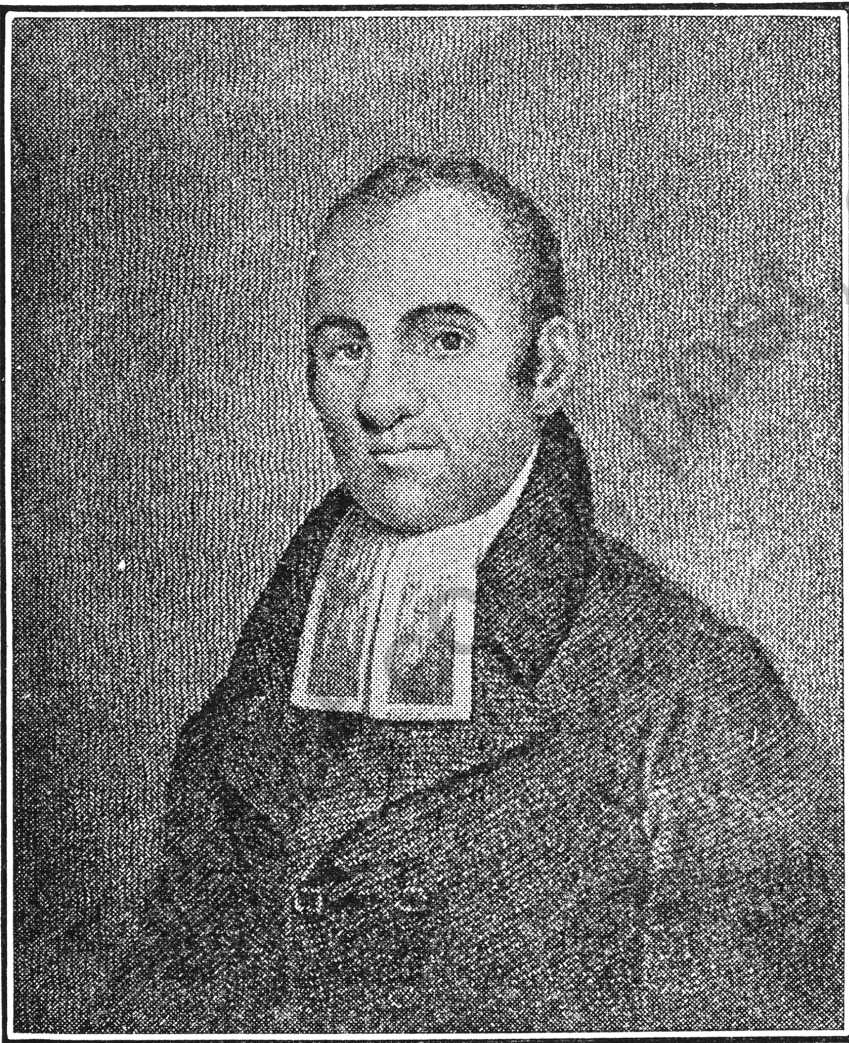
By the time Virginia's government fully codified the status of enslaved people in the eighteenth century, "no black, free or slave, could own arms, strike a white man, or employ a white servant. Any white person could apprehend any black to demand a certificate of freedom or a pass from the owner giving permission to be off the plantation."⁴² Like the indigenous peoples, enslaved Africans and their descendants strove to maintain their ways of life and acted to protect their spiritual and cultural traditions, kinship networks, and families over the coming centuries.

As colonial America moved toward a revolution based on individual liberty, it was far from an equal society. To many white colonials, the prospect of individual advancement made America more equal than the class-stratified societies in Europe, with the exception of the almost feudal southern plantation societies.⁴³ The willingness of white colonial Americans to attack Great Britain for assaults on their liberty while allowing the enslavement of Africans did not go unnoticed by British officials and some white colonists. Thomas Hutchinson, governor of Massachusetts before the war, questioned how the American revolutionaries could "justify the depriving of more than a hundred thousand Africans of their rights to liberty, and the same *pursuit of happiness*, and in some degree to their lives, if these rights

are so absolutely inalienable."⁴⁴ Thomas Paine was one of only a relatively small number of white pamphleteers to point out the contradiction of calling for liberty in a society that allowed slavery. In a 1775 newspaper article, he wondered how the colonists could "complain so loudly of attempts to enslave them, while they hold so many hundred thousand in slavery."⁴⁵ This hypocrisy did not go unnoticed by enslaved people and free peoples of African descent either. In April 1773, a group of Black colonials in Massachusetts petitioned the government for a redress of their grievances, drawing "a straight line between their own condition as chattel slaves and the conditions colonists were then objecting to as virtual slavery."⁴⁶ They asked that the same principles be applied to their own condition in colonial America.

"We expect great things," they wrote, "from men who have made such a noble stand against the designs of their *fellow men* to enslave them. . . . As the people of this province seem to be actuated by the principles of equity and justice, we cannot but expect your house will again take our deplorable case into serious consideration, and give us that ample relief which, *as men*, we have a natural right to."⁴⁷

In 1776, Lemuel Haynes, a Massachusetts minister, wrote an unpublished pamphlet titled *Liberty Further Extended*. The son of an African father and a white mother, Haynes became a



LEMUEL HAYNES

Lemuel Haynes, a Massachusetts minister, challenged slavery based on its violation of natural rights.

Interim Archives / Getty Images

servant to a religious white farming family in the backcountry of Massachusetts. Haynes educated himself in Puritan theology and on the pamphlets of colonial America. He volunteered as a minuteman (a volunteer reserve) in Boston in 1774 and for the Continental Army in 1776. In his pamphlet, Haynes anchored his arguments about the injustice of slavery in the principle of natural rights and the Christian theology with which colonists were very familiar:

Liberty is a Jewel which was handed Down to man from the cabinet of heaven, and is Coeval with his Existence. And as it proceed from the Supreme Legislature of the unifers, so it is he which hath a sole right to take away; therefore, he that would take away a mans Liberty assumes a prerogative that Belongs to another, and acts out of his own domain.⁴⁸

Revolutionary Women, Though Excluded, Build Institutions of Their Own

In many ways, women in revolutionary America were legally and politically invisible. In spite of commonalities in their legal standing, however, *colonial women* as an all-encompassing term fails to capture significant differences in the status, economic class, and religious orientation of the women in question.⁴⁹ Women who were enslaved, of African descent, or of Native American ancestry struggled against multiple forms of oppression. Though sexual and physical abuse was a danger for all colonial women, those who were enslaved or indentured servants faced a higher risk.⁵⁰ War only heightened these risks; during the conflict, sexual assault was sometimes practiced systematically. In 1776 in Staten Island, New York, and New Jersey, British troops repeatedly raped women in the area.⁵¹

White women, unless they had acquired property through widowhood, generally had no legal identity or ability to secure their personal and economic rights in a court of law. They did not have to struggle against the destruction of their families, traditions, and ways of life, as women of African or Native American descent did. Theirs was a “protective oppression,” designed to keep them out of involvement in government and public life. Because of more restricted educational opportunities and therefore lower literacy rates than men, fewer women’s voices were expressed in print. In spite of these challenges, however, many women did speak, write, and act against the restrictions on their own rights and liberties in colonial America.

Because of their general exclusion from public life, white women had fewer opportunities to adopt leadership roles in revolutionary America. Religious organizations proved an important exception, as women could act as leaders in them without the same risk of social disapprobation they would face if acting in the male-dominated political space. Maintaining the boycotts of British goods in the years before revolution also “politicized women and the domestic arena,” especially in the production of substitutes for those goods.⁵² The replacement of British textiles, in particular, brought many colonial women together as **Daughters of Liberty** in spinning events. Although these meetings remained in the “acceptable” realm of home production in the eyes of the male-dominated white colonial society, they did provide an experience in collective organization—an act of public “joining” that was itself a departure from and challenge to traditional gendered roles.⁵³

Efforts to support the Revolutionary War effort led Esther de Berdt Reed, Sarah Franklin Bache (daughter of Benjamin Franklin), and other colonial women to work to create a women’s organization across, not just within, the United States. The Ladies Association of Philadelphia was “the biggest domestic fundraising campaign of the war,”⁵⁴ in part because women and girls who were not wealthy could still participate by donating small amounts of money to door-to-door fundraising efforts.⁵⁵

The collection, accounting, and delivery of these donations required the development of an organizational and administrative structure. Though the members focused on activities considered acceptable for white women in colonial America, the act of organizing and institution building was itself revolutionary. These fundraising efforts were extremely successful, and this was perhaps the first truly national American women’s organization.



ESTHER DE BERDT.

E. D. Berdt

A portrait of Esther de Berdt Reed by Charles Wilson Peale done sometime before 1780.

The Print Collector / Getty Images

Indigenous Peoples in North America Challenge Colonization

The social, cultural, and linguistic diversity of the indigenous peoples in North America at the time of British colonization was staggering. At the time of first contact with the European invaders, perhaps a quarter of “all human languages in the world were North American Indian.”⁵⁶ Initially, British colonists depended on the adaptive technologies and agricultural advances of the indigenous peoples for their own survival. As the British colonies grew in size and confidence, however, they began to assert their ideas about land ownership more aggressively, provoking resistance by indigenous peoples who had not agreed to such terms. The violence that resulted was often horrific, including massacres of entire indigenous local communities and reprisals against individual British colonists.

By the time Thomas Jefferson sat down to draft the Declaration of Independence, the population of the indigenous peoples in the thirteen British colonies had been reduced to a fraction of its level before

first contact with the Europeans. Foreign diseases, against which indigenous peoples had little or no immunity, were the largest factor. Death from armed conflict also played a role. However, the disruption in the traditional ways of life of indigenous peoples caused by European settlement, including the cascading effects of losing their land—which upset agreements and boundaries between them and other native peoples—also had an effect. The impact of British colonization on traditional ways of life was total. The habitats upon which the indigenous peoples depended were altered and depleted. The traditional social and economic systems that had been developed before the British colonists arrived often broke down.

Indigenous peoples, however, did not sit idly by and allow this to happen. They resisted—at times militarily, and often quite successfully. Many indigenous peoples also practiced diplomacy among and between European powers and other native peoples. Sometimes this approach bore fruit, but sometimes it had disastrous outcomes, especially as the European powers were often quite willing to abandon their promises to their “allies” among the native peoples once European objectives had been met. For most indigenous peoples, resistance probably took personal, nonviolent, and largely unrecorded forms as they tried to maintain the survival of their families and kinship networks, their spiritual traditions, and their economic and social structures in the presence of powerfully destabilizing forces.⁵⁷

Independence Becomes Institutionalized

By the time the delegates to the Second Continental Congress convened in Philadelphia in May 1775, the “war of pamphlets and protests was giving way to the war of rifles and cannon.”⁵⁸ In April, British general Thomas Gage ordered troops to move on Lexington, Massachusetts—to arrest radical leaders, including Sam Adams—and on Concord, Massachusetts—to seize weapons. He failed to do both, and the battles of Lexington and Concord, though small, handed the radical pamphleteers the best ammunition they could hope for. They immediately published exaggerated reports of British atrocities against colonial citizens, especially women and children. Individual colonies began to organize or expand colonial militias and organize their manufacturers for war.

Though few could probably have imagined it that May, the **Second Continental Congress** remained the government of the United States until 1781, when a new American government, one designed by the Congress, took its place.⁵⁹ The Second Continental Congress was perpetually in crisis, trying to fight a war in the face of what seemed like unending military defeats and inadequate supplies, troops, and hard money. Its capital even had to be moved in the face of advancing British troops.

When the Second Continental Congress first assembled, the colonies were not yet united in the cause of war. A group of wealthy elites with personal, political, or financial ties to Great Britain opposed independence. A second group, the radicals, set their sights on armed conflict with Great Britain. A third group, the moderates, agreed that a show of force might be necessary but only to serve the ultimate end of a negotiated solution. There were other divisions—between slave and nonslaveholding states, between large and small colonies, and between urban and rural colonists. These divisions would become more important once independence had actually been achieved.

In the early months of 1776, events began to accelerate toward independence. *Common Sense* had given a clear voice to the cause, and British actions had given ammunition to the radicals. Individual colonies began to pass resolutions authorizing their delegates in Congress (often at the request of those delegates) to move for independence from Great Britain. On June 7, Richard Henry Lee of Virginia offered a motion in Congress declaring “that these united colonies are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved.”⁶⁰

Congress was not quite ready to act on the Lee Resolution. The vote was postponed for three weeks to allow for more instructions to arrive from some of the colonies and to convince reluctant colonies and their delegates to get on board. In the meantime, a committee was appointed to draft a basic structure for a government in the event of independence. A second committee was charged with trying to secure

foreign aid. Another committee, consisting of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston, was charged with writing a declaration of, and justification for, American independence. On July 2, 1776, the Second Continental Congress approved the Lee Resolution. Two days later, on July 4, Congress approved Thomas Jefferson's revised Declaration of Independence, which announced, and defended, American independence to the world.

Congress had not accepted Jefferson's original draft of the Declaration, however. Of all the changes that members of the Second Continental Congress made, none was more significant than the deletion of his charges against the king on the issue of slavery. The first section of the deleted charges accused the king of violating natural rights by allowing the slave trade to continue. Yet Thomas Jefferson enslaved other human beings, 607 during his lifetime.⁶¹ His lifestyle depended on the capture, sale, and oppression of other individuals. That lifestyle both benefitted from and supported the oppression and violence that kept the system in place. Today, there is considerable debate about how best to acknowledge and present the complicated and uncomfortable legacies of individuals like Jefferson. Discussion over the placement of statues and other public monuments to commemorate these individuals is a current, and contentious, example.

The second deleted section, in which Jefferson charged the king with trying to incite slave rebellions in the colonies, spoke directly to the fears of many southern plantation owners. British officials had recently made offers of freedom to enslaved colonials in exchange for their joining the British against the American revolutionaries. Many eventually did.

In the end, Jefferson's charges against the king on the issue of slavery were deleted, partly due to opposition from southern-state delegates. The contradiction—of a new nation announcing its birth on the foundation of freedom while holding hundreds of thousands of people in slavery—remained.

The American Revolution Is Still under Construction

From the start, the Revolutionary War went poorly for the Americans. Successive defeats, disease, and logistical problems all plagued the colonists and their general, George Washington. By adapting their tactics to suit their strengths—knowledge of the terrain and support among many of the locals—the colonists managed to use hit-and-run tactics to harass Britain and attack its long supply lines. With the help of Britain's rivals, especially France and its powerful navy, the Americans finally defeated Great Britain in 1781. The Treaty of Paris, signed in 1783 and ratified by Congress in 1784, secured the independence of the United States of America.

Militarily and politically, the American Revolution wasn't technically a revolution. King George III was not overthrown; the British Empire remained intact. The conflict in America is more properly called a secession, in which a group of citizens break off from the larger government to form one of their own. In the backcountry, it was frequently a civil war, with members of the same communities fighting each other, often brutally.

It was, however, very much a revolution of ideas. Though imperfectly and incompletely, the idea of a government based on natural rights and individual liberty had been given political and institutional form. Later American revolutionaries would undertake their own wars of ideas and political strategies to try to make the government live up to its promises. As part of their efforts, they would build, rebuild, and reshape the political institutions that protect and express Americans' natural rights in a representative democracy.

THE STRUCTURE OF INSTITUTIONS AFFECTS HOW CITIZENS PARTICIPATE

As we have seen in the stories that have already been mentioned, though the actions of people and their ideas matter to American government, the **political institutions** that structure how citizens may be involved matter as well. To a great extent, institutions determine how conflicts over political power are resolved, and they can also shape the ideas of people acting within them.

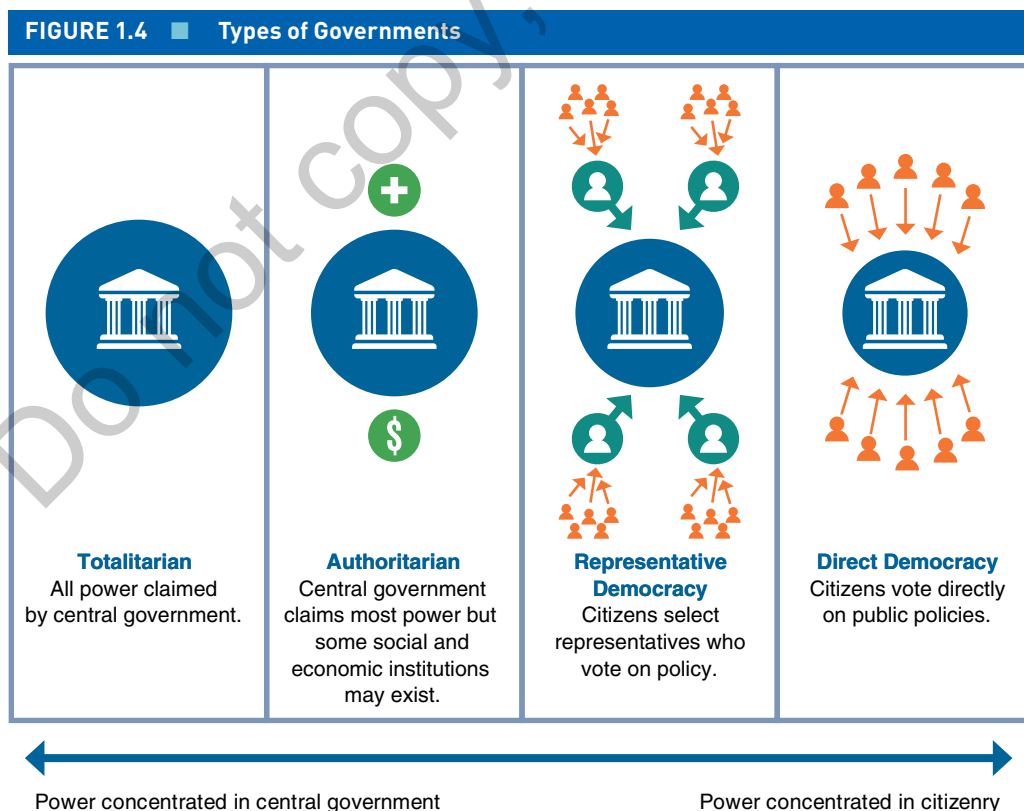
The term *political institution* often conjures images of *organizations*, like Congress or the Supreme Court. Political institutions in America today are almost too numerous to list, comprising bodies at the

local, state, and national levels. However, the *rules* that structure how these organizations are formed and how they operate are equally essential to consider, including the most important American political institution, the Constitution of the United States. The Constitution, as we will explore in the next chapter, is itself largely a set of rules about how things are supposed to work. This document forms the basis of the nation's government and in turn creates a host of political institutions through which conflicts over political power are resolved. It places textual limits on the power of the national government in order to protect Americans' fundamental rights. It also constitutes, or creates, a people with its first seven words: "We the People of the United States."

In devising a system of government, two basic questions need to be resolved: how much power that government will claim, and how political power will be distributed or withheld. Different forms of governments distribute power in very different ways. Totalitarian governments admit no limitations on their own power or competing centers of political power. Similarly, authoritarian governments suppress the voices of their citizens to maintain a grip on power; however, unlike totalitarian systems, authoritarian systems may have some economic or social institutions not under governmental control that may serve to moderate the government's power. Governments that admit no external challenge to their claims on power might be monarchies, ruled by royal figures; theocracies, ruled by religious elites; or oligarchies, ruled by a small group of powerful elites. At the other end of the spectrum of power is a **direct democracy**, in which citizens vote directly on public policies. (See Figure 1.4.)

The United States is none of these extremes. Although the nation does have elements of direct democracy—in, for example, local votes to approve or reject public school budgets or property tax increases—the vast majority of conflicts over power in America are handled through a system of **representative democracy**, in which voters select representatives who then vote on matters of public policy. In doing so, voters in a representative democracy are confronted with a serious challenge: How can they be sure that their representatives are carrying out their wishes? This is a question that we will examine in some detail in this book.

By ceding some of the expression of their natural rights to a government, Americans have tried to create institutions that ensure an orderly and prosperous society. They have thus entered a social contract as described by various Enlightenment thinkers. In doing so, however, they run the risk of creating institutions that oppress instead of uplift.

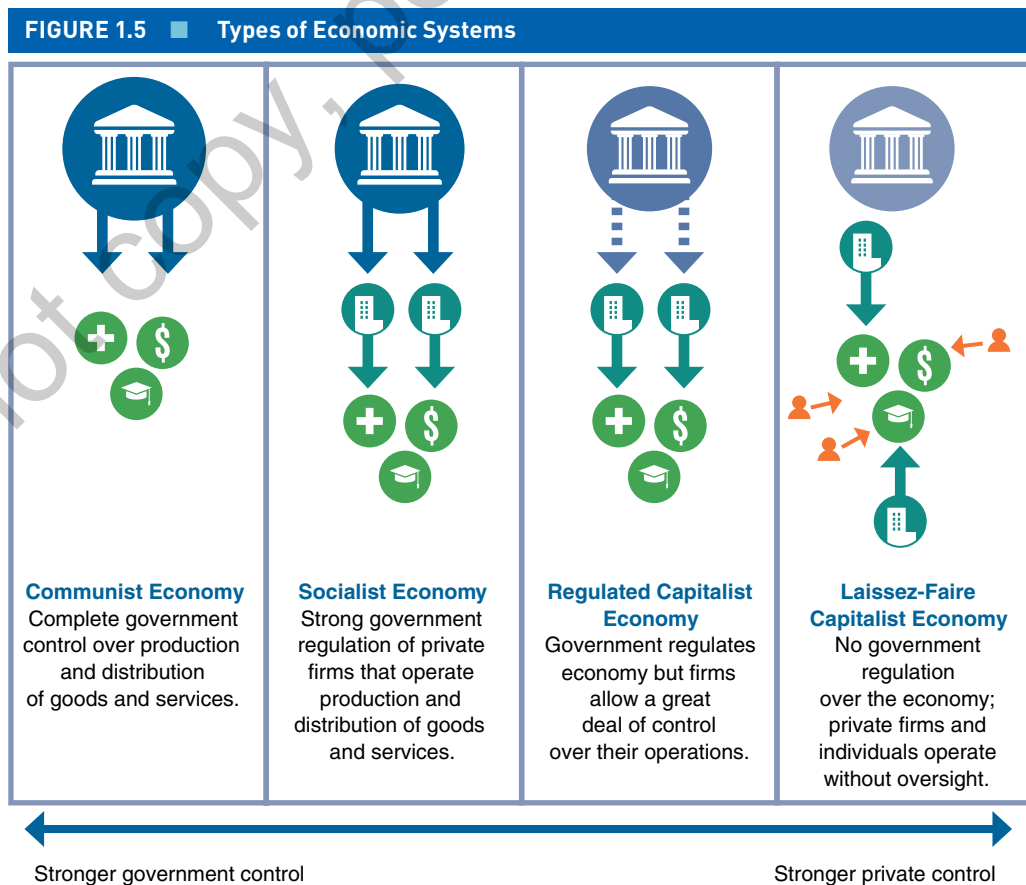


The challenge is that representative democracy does not, by itself, protect against all forms of tyranny. By allowing citizens to select their representatives or vote them out of office, the nation does gain protections against abuse of power by those selected. But what if a *majority* of Americans are in favor of suppressing the rights of others, as was the case in many states with laws allowing requiring racial segregation?

To further protect against infringements on individuals' rights and freedoms, whether that be from officials, a majority of the population, or others, the United States of America also has a **constitutional government**. In this type of system, limits are placed on the power of government to infringe on people's rights in a constituting document that is recognized as the highest and most supreme law of the nation.

The institutions and rules of a government not only structure the politics of a nation but also may serve to structure its **economy**, or the ways in which goods and services are produced and distributed within a society.

When comparing different economic systems, the key thing to focus on is how much power a government has to regulate the production and distribution of goods and services. In a **communist system**, a government acting on behalf of all workers in a society controls the means of production and distribution—all the factories and stores, railroads, and trucks. In a **socialist system**, private firms are allowed to operate but with significant intervention by the government, which may include governmental control of sectors of the economy, such as energy or mining, in the service of ensuring economic equality. In a **capitalist system**, private ownership of the means of production and distribution of a society's resources is emphasized and protected under the laws of that society. Capitalism emphasizes the efficiency of the marketplace in optimally allocating a society's resources. A completely unregulated capitalist system is called *laissez-faire* (from the French "let go," or "let be") and allows individuals and private firms to operate without regulation or oversight. No representative democracies currently practice *laissez-faire* capitalism. Instead, even nations like the United States that emphasize private economic action practice regulated capitalism, in which firms are allowed to control much of their own decision making but are also subject to governmental rules and regulations. (See Figure 1.5.)



DR. MARTIN LUTHER KING JR.'S "LETTER FROM BIRMINGHAM JAIL" LINKS THE CHALLENGE AGAINST RACIAL SEGREGATION TO CORE AMERICAN IDEALS

As they led about forty protesters from the Sixteenth Street Baptist Church in Birmingham, Alabama, Reverend Martin Luther King, Jr. and his close friend, Reverend Ralph David Abernathy, were dressed for jail. Wearing work shirts and jeans, carrying coats to ward off the cold and damp of Birmingham City Jail, King and Abernathy walked past hundreds of spectators, witnesses, and supporters. Some “sang freedom songs, some knelt in silence.”⁶² A few cried.

Despite the seriousness of the situation, the two leaders had tried to show calmness and strength. One evening prior to leaving for Birmingham, King had lightened the mood of all present when, looking at Abernathy and knowing his friend’s habits, he said, “Let me be sure to get arrested with people who don’t snore.”⁶³ On the night before the march, King had told the planners and supporters gathered in Room 30 of the Gaston Motel in Birmingham, “I don’t know what will happen. I don’t know where the money will come from. But I have to make a faith act.”⁶⁴

Born in Atlanta in 1929, King received a doctorate in theology from Boston University and, like his father, joined the Christian clergy. After university, King moved back to the South, even though “there had been offers of jobs in safe northern universities.”⁶⁵ Later he became one of the founders and the president of the Southern Christian Leadership Conference (SCLC), an organization devoted to challenging racial segregation and advocating civil rights. In its founding statement, the conference’s leaders pointed to the violence against those struggling for racial justice and announced that “we have no moral choice, before God, but to delve deeper into the struggle—and to do so with greater reliance on non-violence and with greater unity, coordination, sharing and Christian understanding.”⁶⁶

King, Abernathy, and other civil rights leaders faced a near-constant threat of violence for their opposition to racial segregation, as did many other women and men who took on the white racial order in the American South. King’s own home in Montgomery, Alabama, had been bombed in 1956, though no one was harmed. Prior to that act of racial violence, King had also been verbally threatened in an anonymous phone call—a clear attempt to intimidate him. It didn’t work. King, as well as other leaders, members, and supporters of the SCLC, pressed ahead.

That they were marching in Birmingham in 1963 was no accident. The city was a bastion of segregation, and threats of violence to anyone who resisted were pervasive. The protests were designed as acts of civil disobedience: Participants defied a law seen as unjust and accepted the consequences of that defiance, as King put it, “openly, lovingly.”⁶⁷

For breaking a prohibition on their marching or protesting, King, Abernathy, and about fifty others were arrested and taken to Birmingham City Jail. King was thrown into solitary confinement—“the hole,” as it was called—with only a cot with metal slats to sleep on. “You will never know the meaning of utter darkness,” he recalled, “until you have lain in such a dungeon.”⁶⁸

White Clergy Members Urge Moderation

The morning after King’s arrest, a copy of an article from the *Birmingham News* was “slipped in to” his cell.⁶⁹ Titled “White Clergymen Urge Local Negroes to Withdraw from Demonstrations,” the letter, written by eight white members of the Protestant, Catholic, and Jewish clergies,



Rev. Ralph D. Abernathy, desegregation leader, with Dr. Martin Luther King Jr. (second from right), after release of King and Abernathy from jail in Albany, Georgia in 1962. They had been arrested on charges of parading without a permit the previous year and chose to serve time in jail rather than pay a fine.

Donaldson Collection / US National Archives / Getty Images

admonished King and the other leaders of the SCLC to slow down, to stop protesting, to end the strategy of civil disobedience in Birmingham.⁷⁰

Calling the demonstrations “unwise and untimely” and “directed and led in part by outsiders,” the eight clergy members argued that “honest convictions in racial matters could properly be pursued in the courts.” They “commend[ed] the [Birmingham] community as a whole and the local news media and law enforcement officials in particular, on the calm manner in which these demonstrations ha[d] been handled.” (However, a photograph taken less than a month later and published in the *New York Times* showing a young Black man being attacked by a police dog under the direction of a Birmingham police officer led millions of Americans to question claims of police restraint.) In closing, the clergy members urged Birmingham’s “Negro community to withdraw support from these demonstrations.”

Dr. King’s Letter Affirms Natural Rights for Black Americans

Writing in the margins of the smuggled newspaper, Martin Luther King Jr. penned a response from jail to the clergymen’s accusations and advice.⁷¹ His notes were smuggled out of the jail, typed up, and eventually published by a group of Quakers as the “Letter from Birmingham Jail.” Though it did not have the benefit of King’s powerful speaking voice to increase its impact, it is one of the most important documents of the American civil rights movement.

PRACTICING POLITICAL SCIENCE THE POWER OF THE MEDIA

Black activists in the civil rights movement of the 1960s used a variety of strategies to bring about social change, including holding sit-ins in whites-only areas, such as lunch counters and on public transportation, and organizing marches and demonstrations across the South. The white clergy who urged “moderation” said that those types of protests were unwise and argued that protesters should pursue institutional avenues, such as the courts, for change.

This photograph of a student activist being attacked by a police dog in Birmingham, Alabama, appeared on the front page of the *New York Times* in 1963. President John F. Kennedy is reported to have viewed it and said it sickened him. He also said that it would make the United States look bad across the world, as Birmingham was “a dangerous situation for our image abroad.”⁷² Shortly afterward, Kennedy delivered his own famous civil rights speech, vindicating Martin Luther King, Jr.’s statements in the “Letter from Birmingham Jail.”



AP Photo / Bill Hudson

What Do You Think?

What role do you think images like this may have played in shaping American public opinion on civil rights? Might this role be similar or different in the era of cell phone cameras and YouTube?

In the letter, King begins by affirming that his reply is a sincere response to the white clergymen's concerns, calling them "men of genuine goodwill." Then he defends his presence in Birmingham professionally, as president of the Southern Christian Leadership Conference. However, he also lays out a much more fundamental basis for his involvement. He declares, "I am in Birmingham because injustice is here."

King defends his and his movement's tactics on the basis of natural rights, drawing a distinction between just and unjust laws: "A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the natural law." Racial oppression, he asserts, in all of its legal manifestations, is unjust. Individuals, therefore, have the right to break these unjust laws—but, he adds, "one who breaks an unjust law must do so openly, lovingly."

In a single sentence, more than three hundred words long, King lists the grievances, the injustices, and the evidence that led to his and many others' revolutionary acts. In its use of language, logic, and the principles of natural rights, the "Letter from Birmingham Jail" knows no superior as an American revolutionary pamphlet. Politically, one of the most important passages in the letter pointed to the white moderate as a severe obstacle to justice: "I have almost reached the regrettable conclusion that the Negro's great stumbling block in the stride toward freedom is not the White citizens' 'Councilor' or the Ku Klux Klanner, but the white moderate who is more devoted to 'order' than justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice."

Doyle Brunson, one of the greatest no-limit Texas Hold'em poker players of all time, said of his poker strategy, "I want to put my opponent to a decision for all his chips."⁷³ The radicals of the American Revolution meant to present the colonial moderates with exactly the same decision. Through their actions—and with help from British reactions to their strategies—the radicals took away the possibility of a comfortable, moderate, middle ground. By creating a crisis and a confrontation, King and his fellow protesters sought to force white moderates to make a choice, to decide whether racial segregation and the oppression of Black Americans was consistent with the ideals of the United States or not.

CONCLUSION: THE AMERICAN EXPERIMENT CONTINUES, AND YOU ARE PART OF IT

A study of American government requires an understanding of the ideas upon which it is based. It requires an understanding of the ways in which political institutions promote, shape, or hinder the fulfillment of these fundamental ideas. It requires a study of the past and the present. However, and most importantly, a deep study of American government requires that you think, and perhaps act, as a strategic player in the political space, which is rarely, if ever, neat and clean.

Should you choose to act in American politics—should you choose to stake your own claims on your rights—you will want to be well informed about both your own positions on critical issues and the positions of those with whom you disagree. You will want to have developed your skills in analyzing the words, images, and data that will serve as your tools along the way. And you will need to question: What is American political culture? Is there such a thing? How do the institutions of American government make "good government" more or less likely?

At the beginning of the Chapter, I stated that this book would be centered on stories, and it is. But why? Why read the stories? Why not just skim the definitions for the "important" content? Because

the stories and, most importantly, your engagement with them have the potential to capture what definitions and lists might not:

- The understanding that American political institutions did not fall out of the sky; they were created through conscious action and contestation, sometimes based on success, sometimes based on failure, and sometimes based on pure chance
- The comprehension that in the world of American government and politics, there is rarely, if ever, an either/or solution to major problems but instead a complex interplay among ideals, actions, time, and place
- The understanding that the development of American government and politics has always involved the experiences of individuals and groups whose lives were written outside conventional narratives
- The realization that people matter, even if they do not succeed
- The knowledge that your own voices matter—that your own opinions, thoughtfully constructed and respectfully offered, matter, even if these ideas and opinions may seem to be outside some perception of what you are supposed to think or what others tell you to think

As you read, engage with, and discuss the material in this book and in your courses, there are only two things of which I will try to convince you: You matter. And your stories matter as well, even if nobody ever retells them in a book.

The American experiment always was a complicated and incomplete thing. It still is. At its heart, it poses one difficult and basic question: Can a people design and maintain a government that uplifts and energizes its citizens rather than oppresses them? The answer to that question is not up to other people. It is up to you.

CHAPTER REVIEW

This chapter's main ideas are reflected in the Learning Objectives. By reviewing them here, you should be able to **remember** the key points, **know** the terms that are central to the topic, and **think** about the critical issues raised in each section.

1.1 Explain how diverse Americans have used the political process to make claims on their fundamental rights and freedoms.

Remember	<ul style="list-style-type: none"> • The American political system is designed so that different individuals and groups of people, regardless of their points of view and backgrounds, are able to make claims upon the rights and freedoms they all share. 		
Know	<ul style="list-style-type: none"> • politics 	<ul style="list-style-type: none"> • government 	
Think	<ul style="list-style-type: none"> • Are there certain fundamental rights and freedoms whose protection is especially important to you? Are there some you think are not getting enough attention in the media or society? 		

1.2 Define the key elements of American political culture.

Remember	<ul style="list-style-type: none"> • The American political system was founded on a set of shared ideas and values that together are called political culture. • The most important aspects of American political culture are the commitments to equality, rights, liberty, the pursuit of happiness, and religious freedom, and the idea that America is unique in the ways it has developed. • Those ideas and values define the relationship of Americans to their government and to each other.
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Know	<ul style="list-style-type: none"> American dream American exceptionalism American political culture democracy 	<ul style="list-style-type: none"> economic equality inalienable rights liberty natural rights 	<ul style="list-style-type: none"> political equality political science social contract social equality
Think	<ul style="list-style-type: none"> What are some of the key ideas that define American political culture? To what extent do your experiences inform you of the degree to which these ideas have been realized? 		
1.3 Identify the political, social, and economic events and institutions that gave rise to the American Revolution and reflect upon what was and was not achieved.			
Remember	<ul style="list-style-type: none"> The Declaration of Independence was drafted primarily by Thomas Jefferson in connection with the Second Continental Congress in 1776. Jefferson and his colleagues in the Continental Congress made a series of strategic decisions in incorporating key ideas from history into a document that successfully laid out the justification for independence. Colonial economies depended on enslaving other human beings. Enslaved peoples, their descendants, and indigenous peoples were not extended rights under the Declaration of Independence. The Declaration was shaped by the politics and historical context of American colonies trying to assert themselves in the face of tyranny. The political, social, and economic ideas that circulated in political pamphlets, especially Paine's <i>Common Sense</i>, contributed greatly to the rationale for independence and revolution in the face of increasing British taxation. Women played a role in the economy and affairs of the colonies but were not extended full rights. 		
Know	<ul style="list-style-type: none"> Albany Plan Daughters of Liberty Intolerable Acts 	<ul style="list-style-type: none"> political propaganda Second Continental Congress 	<ul style="list-style-type: none"> Seven Years' War Sons of Liberty
Think	<ul style="list-style-type: none"> What were the main ideas behind the Declaration of Independence? Do you think the ideals in the Declaration have been achieved in today's United States? 		
1.4 Describe the core features of American political institutions.			
Remember	<ul style="list-style-type: none"> In the American model of representative democracy, the forms our political institutions take affect how people are represented. The institutional structure of the United States is that of a constitutional republic, in which the people elect representatives to make most of the laws and policies in the nation rather than voting on them directly. Institutions can both protect and restrict rights, and people may use and change them to protect their own rights or those of others. America's political institutions also structure the country's economy. 		
Know	<ul style="list-style-type: none"> capitalist system communist system constitutional government 	<ul style="list-style-type: none"> direct democracy economy political institutions 	<ul style="list-style-type: none"> representative democracy socialist system
Think	<ul style="list-style-type: none"> What form of government does America have? How are political decisions in America made? 		

1.5 Assess the ways in which the “Letter from Birmingham Jail” draws upon core American ideals.**Remember**

- Dr. Martin Luther King Jr.’s “Letter from Birmingham Jail” (1963), one of the most important documents of the civil rights movement, directly echoes the claims for rights made by Thomas Jefferson over 150 years prior.
- Even today, claims for natural rights—rights that cannot be denied by governments—must be made.

Think

- In what ways is King’s “Letter from Birmingham Jail” similar to the Declaration of Independence? In what ways do they differ?

KEY TERMS

Albany Plan (p. 12)

American dream (p. 9)

American exceptionalism (p. 10)

American political culture (p. 7)

capitalist system (p. 22)

communist system (p. 22)

constitutional government (p. 22)

Daughters of Liberty (p. 17)

democracy (p. 6)

direct democracy (p. 21)

economic equality (p. 8)

economy (p. 22)

government (p. 2)

inalienable rights (p. 8)

Intolerable Acts (p. 15)

liberty (p. 9)

natural rights (p. 6)

political equality (p. 8)

political institution (p. 20)

political propaganda (p. 12)

political science (p. 7)

politics (p. 2)

representative democracy (p. 21)

Second Continental Congress (p. 19)

Seven Years’ War (p. 11)

social contract (p. 6)

social equality (p. 7)

socialist system (p. 22)

Sons of Liberty (p. 14)