

US Government

US Government is an OER textbook designed to meet the requirements of a semester of American Government

- An Introduction to US Government
- Chapter 1: Political Theory & The US Constitution
 - Political Ideas in History: An Introduction
 - Social Contract Philosophers: A Brief Summary

An Introduction to US Government

This online course and textbook covers a wide range of topics explaining how the US Government was founded, how it works, and how it changes with time.

States

This course can be used in a variety of states.

- Ohio
- Texas
- Michigan
- California
- Indiana

Standards

Each chapter will feature a reference guide to standards used within the chapter.

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Chapter 1: Political Theory & The US Constitution

In this chapter we explore the roots of the political theories shaped the United States Constitution.

Political Ideas in History: An Introduction

Do you believe in government "BY THE PEOPLE, FOR THE PEOPLE, AND OF THE PEOPLE?"

Few Americans would say no, especially since these words, spoken by Abraham Lincoln in his 1863 Gettysburg Address, are firmly embedded in the American political system. Yet, governments over the centuries have not always accepted this belief in popularly elected rule.

The American political system is rooted in the ideal that a just government can exist, and that its citizens can experience a good measure of liberty and equality in their personal lives.

Even in the modern United States, many skeptics criticize government as being controlled by greedy, corrupt people who are only interested in lining their own pockets.

So, which view is correct? Is government an instrument of its citizens, an entity that represents and protects a beloved country, or an oppressive, self-serving monster that deserves no respect?

The Rule of Law implies that government is based on the body of law that is applied equally and fairly, not on the whims of a ruler.

If we look to the past for an answer, we find comments like these:

“Behold my sons, with how little wisdom the world is governed. -Axel Oxenstiern
(1583-1654)

And

“

That government is best which governs least. -Thomas Jefferson

The conflict between the power of the government and the sovereignty of the people is solidly based in the past. Governments are sometimes idealized and often criticized. Yet, virtually every society in history has had some form of government, either as simple as the established leadership of a band of prehistoric people, or as complex as the government of the United States today. We will begin by examining reasons why governments exist and considering some types of government including democracy, particularly as it is practiced in the modern United States.



Governments are everywhere. From the earliest tribe through the most recent nation to find its place on the map, government in some form has been necessary to ensure safety and order. In the 1600s, Rembrandt painted the government of the local clothmaker's guild.

Laws of Nature and Nature's God

Natural rights are usually seen as opposite of the concept of legal rights. Legal rights are those bestowed onto a person by a given legal system (i.e., rights that can be modified, repealed, and restrained by human laws). Natural rights are those that are not dependent on the laws, customs, or beliefs of any particular culture or government, and are therefore universal and inalienable (i.e., rights that cannot be repealed or restrained by human laws).

Natural rights are closely related to the concept of natural law (or laws). During the Enlightenment, the concept of natural laws was used to challenge the divine right of kings, and became an alternative justification for the establishment of a social contract, positive law, and government (and thus, legal rights) in the form of classical republicanism (built around concepts such as civil society, civic virtue, and mixed government). Conversely, the concept of natural rights is used by others to challenge the legitimacy of all such establishments.

The idea of natural rights is also closely related to that of unalienable rights; some acknowledge no difference between the two, while others choose to keep the terms separate to eliminate association with some features traditionally associated with natural rights. Natural rights, in particular, are considered beyond the authority of any government or international body to dissolve.

The phrase, "...law of nature and nature's god" is found in the **Declaration of Independence**.

Divine Right of Kings

The Divine Right of Kings is a political and religious doctrine of royal and political legitimacy. It claims that a monarch is not subject to any earthly authority, that the right to rule is directly given by God. The king is not subject to the will of his people, the aristocracy, or any other earthly power. It implies that only God can judge an unjust king and that any attempt to depose, dethrone, or restrict his powers runs opposite to the will of God.

Social Contract Philosophers: A Brief Summary

Who are the key thinkers and philosophes of how society can and should work? In this section we dive into some of the more influential thinkers of the enlightenment and consider how some of their ideas provide a foundation for the United States government.

Thomas Hobbes

Thomas Hobbes proposed that a society without rules and laws to govern our actions would be a dreadful place to live. Hobbes described a society without rules as living in a “state of nature.” In such a state, people would act on their own accord, without any responsibility to their community. Life in a state of nature would be Darwinian, where the strongest survive and the weak perish. A society, in Hobbes’ state of nature, would be without the comforts and necessities that we take for granted in modern western society. The society would have:

- No place for commerce
- Little or no culture
- No knowledge
- No leisure
- No security and continual fear
- No arts
- Little language

The social contract is unwritten and is inherited at birth. It dictates that we will not break laws or certain moral codes and, in exchange, we reap the benefits of our society, namely security,

survival, education and other necessities needed to live.



John Locke

In contrast, John Locke viewed nature as a "state of nature" with certain natural rights and freedoms, including the right to life, liberty, and property. In his view of the world, men are born good and rational, and they create laws themselves for the creation of laws that protect their rights.

Jean Jacques Rousseau

Jean Jacques Rousseau went even further in his thinking, stating, "Man is born free, yet he is everywhere in chains." He believed that men are corrupted with the birth of agriculture, property, and government, and that the only way to return to a state of natural freedom is through a government responsive to the general will. His original idea of a social contract as originally proposed by Greek philosophers.

Evaluating These Views

LEVIATHAN

Or
**THE MATTER FORME
and POWER of A COMMON-WEALTH ECCLESIASTICALLY and CIVIL**

By **THOMAS HOBBS**
of **MALMESBURY.**

London
Printed for Andrew Crooke

The philosophies of Hobbes, Locke, and Rousseau can be placed along a wide political spectrum involving a trade-off between natural liberties and freedoms versus strong authoritarian

governments who provide security and order of exchange. Hobbes' government as one involved the provision of security and order for the people and everything to a

and forceful leader. Locke saw the role of government as protection of the

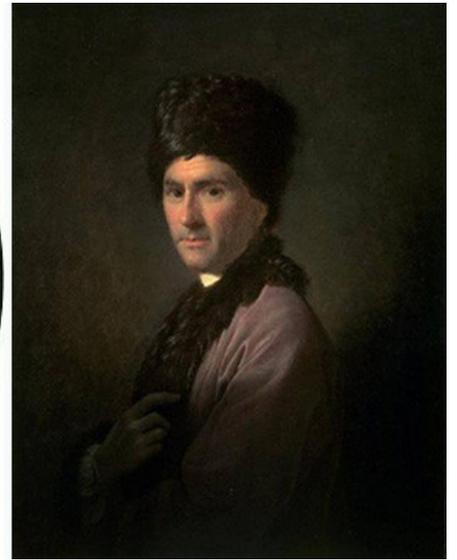
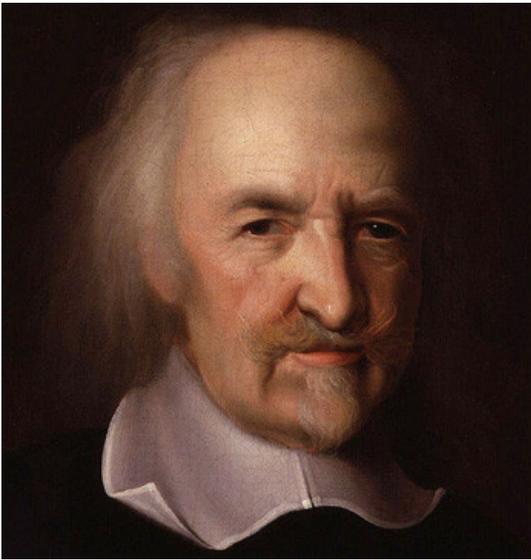
people and believed that governments exist only to serve the people. He

thought that men of the people should do what the government says in order to stay

and view a government as a contract where the people should be in charge of the

government. Rousseau believed that government should be a contract where the

people should be in charge of the government. He believed that government should



Thomas Hobbes, John Locke, Jean Jacques Rousseau

Why Such Different Views?

Why did these men propose such different views of the role of government and its relationship with the people? To understand the answer to this question, we must understand the times in which these men lived.

Thomas Hobbes lived during a period of time when Britain was torn apart by civil war. He believed the king ruled by Divine Right, meaning that the monarch was perceived to be selected by God to rule over the people, and that such a ruler had an absolute and God-given right to be obeyed without question. Others did not share that view and the king was actually beheaded for failing to listen to the will of his people. This tumultuous period of time was known as the English Civil War, and it led to a period of violence and conflict, which would only end with the eventual overthrow of a dictator (Oliver Cromwell) and the return of the monarchy under the rule of William and Mary. To regain their throne, William and Mary had to agree to a limited monarchy in which their power was limited by Parliament and by the people themselves. They were only allowed to return to the throne when they signed the English Bill of Rights.

Locke and Rousseau lived in a period known as the Enlightenment, a time when men began to question the authority of the church and their political rulers. Under men such as Locke and Rousseau, a period of economic and political prosperity began to flourish as advancements were made in science, technology, industry, and global trade. It was truly a time of prosperity and the

rise of property ownership by the common man. It is no wonder that Locke was so concerned about the protection of individual rights and property. Prior to the Enlightenment, it would be very unpopular, not to mention unwise, to question the authority of an absolute political ruler such as the king. However, the Enlightenment was a period of open questioning and the application of reason rather than tradition and superstition.

Unlike Locke, Rousseau did not focus singly on the protection of property rights, but upon political liberties. His beliefs were far more radical than Locke's and, like Locke, are the foundation of much of the Declaration of Independence as well as the United States Bill of Rights.

Social Contracts

While these three philosophers can be placed on a wide political spectrum, they all shared a common belief in one thing: the existence of a "social contract." That is, they believed that there was a real, yet often times unwritten, contract between the government and the people. In Hobbes's view, the people owed everything to the government, and it was the government's job to simply protect people from themselves. The role of the people was to simply do as they were told. In Locke's view, the social contract called for the government to protect the rights and property of individuals. Also, it called for the government to allow the people as many personal freedoms as possible while it was the role of the people to respect the rule of law and to take a strong stand in ensuring that the government did not get out of hand. In Rousseau's more radical view, governments must submit to the general will of the people, and the people must actively and directly participate in their governance.

The three social contracts of Hobbes, Locke, and Rousseau have a common understanding that:

- (1) A social contract exists between government and the people.
- (2) Social contracts are based on collective action, which means that people work together in order to solve problems and make decisions that affect them as a group.
- (3) Governments have a specific purpose which is designed to meet the needs, wants, and objectives of the collective group ("the people"). When government provides essential goods and services that would be otherwise economically unavailable or unobtainable to the general public, they are providing public goods. A public good can best be described as a good or service that, once provided, is available to everyone and cannot be excluded from any one group (regardless of how much they have contributed to the cost of

providing it). Practical examples of public goods are national defense and public roads.

Comparison of Social Contracts

Hobbes	Locke	Rosseau
<ul style="list-style-type: none">• People collectively agree to give up all their freedom and power to a sovereign ruler• Absolute control (authoritarian monarchy) is where all powers and laws are held to that sovereign• Government imposes law and order to prevent state wars	<ul style="list-style-type: none">• Government exists by the consent of the people.• Government protects natural rights and promotes public good.• The right of revolution is exercised when the government falls.• Principle of "rule of the majority".• Liberal or Constitutional Monarchy	<ul style="list-style-type: none">• Social contract is made among all people of that society to bring them in harmony.• A <i>general will</i> is made by and agreed to by the people who abide by it.• Direct rule by the people. (republicanism/democracy)• "Whoever refuses to obey the general will shall be compelled to do so by the whole body."