VA/US Government Inquiry (240 - 270 Minutes)

What Influenced the Creation of the U.S. Constitution?

Supporting Questions- These are used to structure and develop the inquiry

1. How did Ancient Greece and Rome influence the U.S. Constitution?
2. What were England’s political influences on the U.S. Constitution?
3. In what ways and to what extent did the European Enlightenment philosophers influence the U.S. Constitution?

### Overview – Influences of the U.S. Constitution Inquiry

#### What Influenced the Creation of the U.S. Constitution?

<table>
<thead>
<tr>
<th>VA SOL Content Standard</th>
<th>GOVT. 2: The student will apply social science skills to understand the political philosophies that shaped Virginia and United States constitutional government.</th>
</tr>
</thead>
<tbody>
<tr>
<td>VA SOL Skills Standard 1</td>
<td>1a – Planning Inquiries, 1c – Comparing and Contrasting, 1e – Constructing Arguments, 1g – Taking Action, 1j – Communicating Conclusions</td>
</tr>
</tbody>
</table>

#### Supporting Questions - These are Used to Structure and Develop the Inquiry

<table>
<thead>
<tr>
<th>Supporting Question 1</th>
<th>Supporting Question 2</th>
<th>Supporting Question 3</th>
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<td>How did Ancient Greece and Rome influence the U.S. Constitution?</td>
<td>What were England’s political influences on the U.S. Constitution?</td>
<td>In what ways and to what extent did the European Enlightenment philosophers influence the U.S. Constitution?</td>
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</table>

**Formative Performance Task**

- Students will jigsaw information (2 using Greece and 2 using Roman sources) and complete a graphic organizer as a group.
- Students will research 2 English primary sources and create a slideshow detailing how both influenced the United States Constitution.
- Students will debate the benefits of democracy using the ideas of Hobbes, Locke, Rousseau, and Montesquieu.

**Featured Sources**

- **A.** Author David McCullough, in a speech at DePauw University
- **a.** Video: The British Library: Magna Carta [https://www.bl.uk/magna-carta/articles/magna-carta-an-introduction](https://www.bl.uk/magna-carta/articles/magna-carta-an-introduction)

**Summative Performance Tasks**

- **ARGUMENT:** Students make a case for the 2-3 most significant influences of U.S. Constitution. Support for their selections must be provided.
- **EXTENSION:** Students will generate an infographic that details the various influences on the US Constitution

**Taking Informed Action**

- Students develop survey questions about constitutional influences. Survey can be conducted with another class, with teachers, online with a partner school, at home etc. Results will be shared in the school newspaper, posted in the library, or similar venue.
Optional Background Resources


- Chapter 2

Websites:


General Types of Supports
Introducing the Compelling Question – The Hook (15-20 Minutes)

<table>
<thead>
<tr>
<th>Compelling Question</th>
<th>Source A: Six quotes about government</th>
</tr>
</thead>
<tbody>
<tr>
<td>What influenced the creation of the US Constitution?</td>
<td></td>
</tr>
</tbody>
</table>

INSTRUCTIONS/PROCESS FOR INTRODUCING THE COMPELLING QUESTION:

Using quotes about government, students will select two to respond to in writing using post it notes or on a large poster board (or an electronic collaborative space like Padlet). Place these 6 quotes and ask each student to write a 2-3 sentence response to the quote. When done ask students to share questions they have about these quotes. Write the questions in a parking lot area for the entire module as a reference for students.

Introducing the Compelling Question – Featured Sources

<table>
<thead>
<tr>
<th>Featured Source</th>
<th>Source A: Six quotes about the U.S. Constitution</th>
</tr>
</thead>
</table>

1. "The best government is that which governs least." (attributed to both Thomas Jefferson and Henry David Thoreau)

2. "When a country is well governed, poverty and mean condition are things to be ashamed of.” Confucius

3. “The best argument against democracy is a five-minute conversation with the average voter.” Winston Churchill

4. “The punishment which the wise suffer who refuse to take part in the government, is to live under the government of worse men.” Plato

5. “Fear is the foundation of most government.” John Adams

6. “The first duty of government is to protect the powerless form the powerful.” Hammurabi’s Code
## Supporting Question 1 (60-70 Minutes)

<table>
<thead>
<tr>
<th>Supporting Question</th>
<th>How did Ancient Greece and Rome influence the U.S. Constitution?</th>
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<tbody>
<tr>
<td>A. Group/Hook Source: Author David McCullough, in a speech at DePauw University</td>
<td></td>
</tr>
</tbody>
</table>

### Process and Formative Performance Task

Organize students into groups of 4 and give them the quote by David McCullough. As a group ask them to identify the main idea of the quote and to define these 3 terms.

- Legacy
- Manifestations
- Politics
- Government

The group of students then divides and moves to their Greek or Roman source to examine how the ancient societies influenced aspects of the US government. The group will produce a graphic organizer that details the main components of Greek and Roman Government and relating them to ideas found in the US Constitution. Each group should select a question in the parking lot to answer and add an additional question to the parking lot that has developed.

### Featured Sources

**FEATURED SOURCE A**

**Group/Hook Source:**

The founders of the United States had all received a classical education. As they were forming their own ideas about the world, they were learning about and absorbing the ideals of ancient Greece and Rome. It is no wonder that when they were building the foundations of American government, they looked to ancient Greece and Rome for inspiration.

Why were the founders of the United States and other Western political systems so deeply influenced by ancient Greece and Rome?

_They were steeped in, soaked in, marinated in, the classics: Greek and Roman history, Greek and Roman ideas, Greek and Roman ideals. It was their model, their example. And they saw themselves very much like the Greeks and the Romans, as actors on a great stage in one of the great historic dramas of all time, and that they, individually and as a group, had better live up to these heroic parts in which history had cast them. That’s a powerful motivation._

—Author David McCullough, in a speech at DePauw University
The ancient Greeks were particularly concerned with such fundamental questions as who should rule and how? Should sovereignty (*kyriōn*) lie in the rule of law (*nomoi*), the constitution (*politea*), officials, or the citizens? Not settling on a definitive answer to these questions, government in the ancient Greek world, therefore, took extraordinarily diverse forms and, across different city-states and over many centuries, political power could rest in the hands of a single individual: (monarchies and tyrants) or in a select few (the oligarchies) or in every male citizen: democracy - widely regarded as the Greeks' greatest contribution to civilization.

Our knowledge of the political systems in the ancient Greek world comes from a wide range of sources. Whilst for Athens, it is possible to piece together a more complete history, we have only an incomplete picture of the systems in most city-states and many details of how the political apparatus actually functioned are missing. Surviving, though, are over 150 political speeches and 20,000 inscriptions which include 500 decrees and 10 laws. There are also two specifically political texts with the same title, *The Constitution of the Athenians*, one written by Aristotle or one of his pupils and the other attributed (by some) to Xenophon. Other sources which discuss politics and government include Aristotle's *Politics* and the historical works of Herodotus, Thucydides, and Xenophon. In addition, politics is often lampooned in the comedies of Aristophanes.

**DEMOCRACY**

Athens' constitution is called a democracy because it respects the interests not of the minority but of the whole people. When it is a question of settling private disputes, everyone is equal before the law; when it is a question of putting one person before another in positions of public responsibility, what counts is not membership of a particular class, but the actual ability which the man possesses. (Pericles, 431 BCE)

The word democracy derives from the Greek *dēmos* which referred to the entire citizen body and although it is Athens which has become associated with the birth of democracy (*demokratia*) from around 460 BCE, other Greek states did establish a similar political system, notably, Argos, (briefly) Syracuse, Rhodes, and Erythrai. Athens is, however, the state we know most about. The assembly of Athens met at least once a month, perhaps two or three times, on the Pnyx hill in a dedicated space which could accommodate 6000 citizens. Any male citizen 18 years or over could speak (at least in theory) and vote in the assembly, usually with a simple show of hands. Attendance was even paid for in certain periods which was a measure to encourage citizens who lived far away and couldn’t afford the time-off to attend. Citizens probably accounted for 10-20% of the *polis* population, and of these it has been estimated that only 3,000 or so people actively participated in politics. Of this group, perhaps as few as 100 citizens - the wealthiest, most influential, and the best speakers - dominated the political
arena both in front of the assembly and behind the scenes in private conspiratorial political meetings (xynomosiai) and groups (hetaireiai). Critics of democracy, such as Thucydides and Aristophanes, also pointed out that the dēmos could be too easily swayed by a good orator or popular leaders (the demagogues) and get carried away with their emotions. Perhaps the most famous bad decision from the Athenian democracy was the death sentence given to the philosopher Socrates in 399 BCE.

Issues discussed in the assembly ranged from deciding magistracies to organising and maintaining food supplies to debating military matters. There was in Athens (and also Elis, Tegea, and Thasos) a smaller body, the boulē, which decided or prioritised the topics which were discussed in the assembly. In addition, in times of crisis and war, this body could also take decisions without the assembly meeting. The boulē or council of 500 citizens was chosen by lot and had a limited term of office, which acted as a kind of executive committee of the assembly. The decrees of the Assembly could also be challenged by the law courts. Similar in function to the boulē was the council of elders (selected men over 60), the gerousia, of Sparta, which also had the two Spartan kings as members and had certain legal powers. Similar bodies of elders existed in Corinth and Stymphalos. In Athens, the Areopagus was a similar such council, where elders were made members for life.

In other Greek states then, there were also democratic assemblies, sometimes, though, with a minimum property stipulation for attendees (as in the Boiotian federation 447-386 BCE). Some city-states also mixed democratic assemblies with a monarchy (for example, Macedonia and Molossia).

**FEATURED SOURCE C:**


Western Civilization is forever indebted to the people of ancient tGreece and Rome. Among the numerous contributions these societies made are in the fields of art, literature and philosophy; however, perhaps their greatest gift to future generations was the modern perception of government. The contemporary idea of democracy, while borne out of the political struggles in the city of Athens, came to fruition in the Roman Republic, surviving, despite the constant interference of the emperor, through the Roman Empire. Although the present definition of democracy has changed considerably, one must still recognize its early evolution in that eternal city, Rome.

**FROM MONARCHY TO REPRESENTATION**

The Roman Republic emerged out of what one historian called “the ashes of the monarchy.” Years underneath the unyielding yoke of a king taught the people of Rome that they had to safeguard against the rule, and
possible oppression, of one individual. The real authority or imperium of the republic, and later empire, was to be divided among three basic elements - elected non-hereditary magistrates, a Senate to advise and consent, and popular assemblies. Unfortunately for many people in Rome, in the early stages of the Republic, power lay solely in the hands of the elite, the old landowning families or patricians. The remainder and largest share of the city’s population - the plebeians - had few if any rights. This unequal division of power would not last very long.

THE CONSULS

Instead of a king, and to guard against despotism, the new government chose consuls, two in number. These individuals were not elected by the populace but appointed by the popular assembly, the Comitia Centuriata. Each consul served a one-year, non-consecutive, term, although he could serve a second or third term later. As both political and military heads of state, consuls possessed supreme executive power, commanding the army, presiding over the Senate, and proposing legislation; however, as a safeguard each consul had the ability to veto the other’s decision - an intercessio. As a symbol of their authority, they wore a traditional woolen toga with a purple border, sat upon a special chair or sella curulis, and were attended by at least six special assistants or lictors. Their symbol was the fasces, the bundle of rods and axe. At the end of their one-year term, they were held accountable to the popular assembly for any decisions made or actions taken. Many consuls would have their duties extended by becoming a proconsul, a governor of one of the many Roman provinces. Initially, while the position of consul was open only to patricians, plebeians became eligible in 367 BCE and by 342 BCE legislation dictated that one of the two consuls had to be a plebeian. Famous figures who served as consuls include Julius Caesar, Marcus Licinius Crassus, Pompey the Great, and Mark Antony.

THE SENATE

Unlike later parliamentary bodies, the Roman Senate had little if any legislative authority, for that power wrested in the hands of the popular assemblies. Originally open only to the patricians, the Senate had what one might call “indirect” executive power called auctoritas. And, while it had no legal power, it still held significant influence, serving as an advisory body to the consuls and later emperors. Members of this conservative body were unpaid and served for life unless found guilty of public or private misconduct. Senators were forbidden to engage in banking or foreign trade.

Throughout most of its existence, the Roman Senate remained the domain of the wealthy. And, while its ability to influence leadership decreased over time, especially under the reign of the emperors, membership in this hallowed institution varied. During the age of the kings when it served as a council or patres et conscripti, its number was firmly established at 100; however, later, under Tiberius and Gaius Gracchi during the 2nd century BCE, the number was increased to 300. A century later, Sulla, who hoped to enact serious land reforms, would
triple this sum when he enlarged the Senate to 900. While Julius Caesar would add another hundred, bringing the total to 1,000, Emperor Augustus set its membership at 600.

While the Senate may have lacked any genuine legislative authority, it did have fundamental responsibilities that made its opinion essential to the functioning of Roman government. First of all, the senators not only discussed both domestic and foreign policy but supervised relations with foreign powers. They directed the religious life of Rome, and most importantly, controlled state finances. Initially, after the fall of the monarchy, senators were named by the consul, but, with the passing of the Lex Ovinia in the 4th century BCE, this power was transferred to the censor, and it was the censor who could add new members. Sessions of the Senate were called by the magistrates, who would provide an agenda of the topics for discussion. And, since the meetings were held in private to avoid public scrutiny, unlimited freedom of speech allowed each senator to give his opinion or senatus consultum.

THE ASSEMBLIES

Instead of authority lying in the Senate, power to pass laws was given to a number of popular assemblies. First, there was the Comitia Curiata, a legislative body dating back to the days of the kings which evolved into the Comitia Centuriata. Next, representing the plebeians there was the Concilium Plebis, and, lastly, also dating back to the time of the monarchy, there were the various smaller tribal assemblies.

Although many may not view these assemblies as truly democratic, until the emergence of the empire they held the power of the people in their hands. After the fall of the monarchy, the original Comitia Curiata, representing the three major tribes, lost the right to enact laws but retained, temporarily, the power of lex curita de imperio - the authority to confirm the naming of the magistrates; it also witnessed the appointment of priests, adoptions and wills. However, over time, it became largely ceremonial, and in its place the very conservative Comitia Centuriata - another wealth-based assembly- emerged. The membership of this new body was divided into centuries (one hundred men), 373 in total. Each century voted as a block; therefore, the wealthier centuries outvoted the “poorer” ones. Unlike the other assemblies, who met in the Forum, the Centuriata met on the Campus Marcus or Field of Mars outside the city. Its duties included electing various magistrates (consuls, praetors, and censors), enacting laws, declaring war and peace, and invoking the death penalty on Romans who were arraigned on political charges. During the time of the Republic, these various assemblies were the voice of the citizens of Rome, and although not fully democratic in the modern definition of the word, they allowed at last some portion of the Roman citizenry to be heard.

THE TRIBUNES & THE RULE OF LAW

Initially, as one might have gathered, the real authority of the republic lay in the hands of the patricians; however, this power could not and would not remain. The plebeians, who comprised the majority of the army and did most of the real work, rebelled, going on strike and demanding an equal voice in the government. Out of
this struggle came the Conflict of Order, a class “war” that lasted from 494 to 287 BCE. It was a fight that brought about significant change: a plebeian assembly, the Concilium Plebis. Through this new congress, the plebeians could elect tribunes who, like consuls, served for one year. Their primary function was to safeguard plebeian rights against patrician abuse. Their duties were in many ways similar to that of the consuls; however, they could veto any magistrate decision as it related to the plebeians. Later, to further protect the rights of the plebians, the Twelve Tables also called the Ten plus the Two was enacted as the first record of Roman law - there had never been a written constitution in Rome. By the 4th century BCE all citizens had the right of provocatio populum - the right to appeal the decision of a magistrate, and by 287 BCE the Lex Hotensia stated that laws passed by the Concilium Plebis were binding to all people, even patricians.

Sample graphic organizer.

- Question your group is answering:

- New question your group has

**Additional Support/Scaffolds/Extensions**

Students could look at other governments of the ancient world and complete similar graphic organizers to evaluate if they contributed to the US constitution. Ex. Persia, Egypt, China,
Supporting Question 2 (80 Minutes)

<table>
<thead>
<tr>
<th>Supporting Question</th>
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<tbody>
<tr>
<td>Formative Performance Task</td>
<td>Students will research 2 English primary sources and create a slideshow detailing how both influenced the United States Constitution.</td>
</tr>
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<td>Featured Source(s)</td>
<td>a. Magna Carta video: <a href="https://www.bl.uk/magna-carta/articles/magna-carta-an-introduction">https://www.bl.uk/magna-carta/articles/magna-carta-an-introduction</a></td>
</tr>
<tr>
<td></td>
<td>b. English Bill of Rights, excerpts</td>
</tr>
</tbody>
</table>

**Process and Formative Performance Task**

As a class show the video on the Magna Carta. Students will complete this diagram with a partner.

Suggested labeling is below. A class/group generate model is also possible.

<table>
<thead>
<tr>
<th>What is it?</th>
<th>Contributions to Government include...</th>
</tr>
</thead>
<tbody>
<tr>
<td>What questions do I have?</td>
<td>Who was impacted?</td>
</tr>
</tbody>
</table>

Magna Carta
Using Document B, students will rank the rights below from high to low importance. Teachers can cut the rights into strips or list them and students can arrange them by numbers.

**Featured Sources:**

**FEATURED SOURCE A**

Video: The British Library: Magna Carta [https://www.bl.uk/magna-carta/articles/magna-carta-an-introduction](https://www.bl.uk/magna-carta/articles/magna-carta-an-introduction)

**FEATURED SOURCE B:**

English Bill of Rights, excerpts from the declaration of rights.

1. That the pretended power of suspending laws, or the execution of laws, by regal authority, without consent of parliament is illegal.
2. That the commission for erecting the late court of commissioners for ecclesiastical causes, and all other commissions and courts of like nature, are illegal and pernicious.
3. That it is the right of the subjects to petition the king, and all commitments and prosecutions for such petitioning are illegal.
4. That the raising or keeping a standing army within the kingdom in time of peace, unless it be with consent of parliament, is against law.
5. That election of members of parliament ought to be free.
6. That the freedom of speech, and debates or proceedings in parliament, ought not to be impeached or questioned in any court or place out of parliament.
7. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
8. That jurors ought to be duly impaneled and returned, and jurors which pass upon men in trials for high treason ought to be freeholders.
9. That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void.
10. And that for redress of all grievances, and for the amending, strengthening, and preserving of the laws, parliament ought to be held frequently.

**Additional Support/Scaffolds/Options**

Further research could be done at the following website:

Supporting Question 3 (50 Minutes)

<table>
<thead>
<tr>
<th>Supporting Question</th>
<th>In what ways and to what extent did the European Enlightenment philosophers influence the U.S. Constitution?</th>
</tr>
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<tbody>
<tr>
<td>Formative Performance Task</td>
<td>Students will debate the benefits of democracy using the ideas of Hobbes, Locke, Rousseau, and Montesquieu.</td>
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</table>

Formative Performance Task and Instructional Approach


1. Divide the class into four groups, each taking on the role of Hobbes, Locke, Montesquieu, or Rousseau.
2. The members of each of the role group will need to research why their philosopher would agree or disagree with the debate topics listed below. The article contains some clues, but students should find out more about their philosophers’ views by using the school library and Internet.
3. After research has been completed, each role group will state its philosopher’s position on topic A. The groups should then debate the topic from the point of view of the philosopher they are role playing. Follow the same procedure for the rest of the topics.
4. After all the debates are finished, class members should discuss which one of the four philosophers they agree with the most and why.

Featured Sources:

FEATURED SOURCE A

Hobbes, Locke, Montesquieu, and Rousseau on Government


Starting in the 1600s, European philosophers began debating the question of who should govern a nation. As the absolute rule of kings weakened, Enlightenment philosophers argued for different forms of democracy.

In 1649, a civil war broke out over who would rule England—Parliament or King Charles I. The war ended with the beheading of the king. Shortly after Charles was executed, an English philosopher, Thomas Hobbes (1588–1679), wrote Leviathan, a defense of the absolute power of kings. The title of the book referred to a leviathan, a mythological, whale-like sea monster that devoured whole ships. Hobbes likened the leviathan to government, a powerful state created to impose order.

Hobbes began Leviathan by describing the “state of nature” where all individuals were naturally equal. Every person was free to do what he or she needed to do to survive. As a result, everyone suffered from “continued fear and danger of violent death; and the life of man [was] solitary, poor, nasty, brutish, and short.”

In the state of nature, there were no laws or anyone to enforce them. The only way out of this situation, Hobbes said, was for individuals to create some supreme power to impose peace on everyone.

Hobbes borrowed a concept from English contract law: an implied agreement. Hobbes asserted that the people agreed among themselves to “lay down” their natural rights of equality and freedom and give absolute power to a sovereign. The sovereign, created by the people, might be a person or a group. The sovereign would make and enforce the laws to secure a peaceful society, making life, liberty, and property possible. Hobbes called this agreement the “social contract.”

Hobbes believed that a government headed by a king was the best form that the sovereign could take. Placing all power in the hands of a king would mean more resolute and consistent exercise of political authority, Hobbes argued. Hobbes also maintained that the social contract was an agreement only among the people and not between them and their king. Once the people had given absolute power to the king, they had no right to revolt against him.

Hobbes warned against the church meddling with the king’s government. He feared religion could become a source of civil war. Thus, he advised that the church become a department of the king’s government, which would closely control all religious affairs. In any conflict between divine and royal law, Hobbes wrote, the individual should obey the king or choose death.

But the days of absolute kings were numbered. A new age with fresh ideas was emerging—the European Enlightenment.

Enlightenment thinkers wanted to improve human conditions on earth rather than concern themselves with religion and the afterlife. These thinkers valued reason, science, religious tolerance, and what they called “natural rights”—life, liberty, and property.

Enlightenment philosophers John Locke, Charles Montesquieu, and Jean-Jacques Rousseau all developed theories of government in which some or even all the people would govern. These thinkers had a profound effect on the American and French revolutions and the democratic governments that they produced.
Locke: The Reluctant Democrat

John Locke (1632–1704) was born shortly before the English Civil War. Locke studied science and medicine at Oxford University and became a professor there. He sided with the Protestant Parliament against the Roman Catholic King James II in the Glorious Revolution of 1685. This event reduced the power of the king and made Parliament the major authority in English government.

In 1690, Locke published his Two Treatises of Government. He generally agreed with Hobbes about the brutality of the state of nature, which required a social contract to assure peace. But he disagreed with Hobbes on two major points.

First, Locke argued that natural rights such as life, liberty, and property existed in the state of nature and could never be taken away or even voluntarily given up by individuals. These rights were “inalienable” (impossible to surrender). Locke also disagreed with Hobbes about the social contract. For him, it was not just an agreement among the people, but between them and the sovereign (preferably a king).

According to Locke, the natural rights of individuals limited the power of the king. The king did not hold absolute power, as Hobbes had said, but acted only to enforce and protect the natural rights of the people. If a sovereign violated these rights, the social contract was broken, and the people had the right to revolt and establish a new government. Less than 100 years after Locke wrote his Two Treatises of Government, Thomas Jefferson used his theory in writing the Declaration of Independence.

Although Locke spoke out for freedom of thought, speech, and religion, he believed property to be the most important natural right. He declared that owners may do whatever they want with their property as long as they do not invade the rights of others. Government, he said, was mainly necessary to promote the “public good,” that is to protect property and encourage commerce and little else. “Govern lightly,” Locke said.

Locke favored a representative government such as the English Parliament, which had a hereditary House of Lords and an elected House of Commons. But he wanted representatives to be only men of property and business. Consequently, only adult male property owners should have the right to vote. Locke was reluctant to allow the propertyless masses of people to participate in government because he believed that they were unfit.

The supreme authority of government, Locke said, should reside in the law-making legislature, like England’s Parliament. The executive (prime minister) and courts would be creations of the legislature and under its authority.

Montesquieu: The Balanced Democrat

When Charles Montesquieu (1689–1755) was born, France was ruled by an absolute king, Louis XIV. Montesquieu was born into a noble family and educated in the law. He traveled extensively throughout Europe, including England, where he studied the Parliament. In 1722, he wrote a book, ridiculing the reign of Louis XIV and the doctrines of the Roman Catholic Church.

Montesquieu published his greatest work, The Spirit of the Laws, in 1748. Unlike Hobbes and Locke, Montesquieu believed that in the state of nature individuals were so fearful that they avoided violence and war. The need for food, Montesquieu said, caused the timid humans to associate with others and seek to live in a society. “As soon as man enters into a state of society,” Montesquieu wrote, “he loses the sense of his weakness; equality ceases, and then commences the state of war.”
Montesquieu did not describe a social contract as such. But he said that the state of war among individuals and nations led to human laws and government.

Montesquieu wrote that the main purpose of government is to maintain law and order, political liberty, and the property of the individual. Montesquieu opposed the absolute monarchy of his home country and favored the English system as the best model of government.

Montesquieu somewhat misinterpreted how political power was actually exercised in England. When he wrote *The Spirit of the Laws*, power was concentrated pretty much in Parliament, the national legislature. Montesquieu thought he saw a separation and balancing of the powers of government in England.

Montesquieu viewed the English king as exercising executive power balanced by the law-making Parliament, which was itself divided into the House of Lords and the House of Commons, each checking the other. Then, the executive and legislative branches were still further balanced by an independent court system.

Montesquieu concluded that the best form of government was one in which the legislative, executive, and judicial powers were separate and kept each other in check to prevent any branch from becoming too powerful. He believed that uniting these powers, as in the monarchy of Louis XIV, would lead to despotism. While Montesquieu’s separation of powers theory did not accurately describe the government of England, Americans later adopted it as the foundation of the *U.S. Constitution*.

**Rousseau: The Extreme Democrat**

*Jean-Jacques Rousseau* (1712–1778) was born in Geneva, Switzerland, where all adult male citizens could vote for a representative government. Rousseau traveled in France and Italy, educating himself.

In 1751, he won an essay contest. His fresh view that man was naturally good and was corrupted by society made him a celebrity in the French salons where artists, scientists, and writers gathered to discuss the latest ideas.

A few years later he published another essay in which he described savages in a state of nature as free, equal, peaceful, and happy. When people began to claim ownership of property, Rousseau argued, inequality, murder, and war resulted.

According to Rousseau, the powerful rich stole the land belonging to everyone and fooled the common people into accepting them as rulers. Rousseau concluded that the social contract was not a willing agreement, as Hobbes, Locke, and Montesquieu had believed, but a fraud against the people committed by the rich.

In 1762, Rousseau published his most important work on political theory, *The Social Contract*. His opening line is still striking today: “Man is born free, and everywhere he is in chains.” Rousseau agreed with Locke that the individual should never be forced to give up his or her natural rights to a king.

The problem in the state of nature, Rousseau said, was to find a way to protect everyone’s life, liberty, and property while each person remained free. Rousseau’s solution was for people to enter into a social contract. They would give up all their rights, not to a king, but to “the whole community,” all the people. He called all the people the “sovereign,” a term used by Hobbes to mainly refer to a king. The people then exercised their “general will” to make laws for the “public good.”
Rousseau argued that the general will of the people could not be decided by elected representatives. He believed in a direct democracy in which everyone voted to express the general will and to make the laws of the land. Rousseau had in mind a democracy on a small scale, a city-state like his native Geneva.

In Rousseau's democracy, anyone who disobeyed the general will of the people “will be forced to be free.” He believed that citizens must obey the laws or be forced to do so as long as they remained a resident of the state. This is a “civil state,” Rousseau says, where security, justice, liberty, and property are protected and enjoyed by all.

All political power, according to Rousseau, must reside with the people, exercising their general will. There can be no separation of powers, as Montesquieu proposed. The people, meeting together, will deliberate individually on laws and then by majority vote find the general will. Rousseau’s general will was later embodied in the words “We the people . . .” at the beginning of the U.S. Constitution.

Rousseau was rather vague on the mechanics of how his democracy would work. There would be a government of sorts, entrusted with administering the general will. But it would be composed of “mere officials” who got their orders from the people.

Rousseau believed that religion divided and weakened the state. “It is impossible to live in peace with people you think are damned,” he said. He favored a “civil religion” that accepted God, but concentrated on the sacredness of the social contract.

Rousseau realized that democracy as he envisioned it would be hard to maintain. He warned, “As soon as any man says of the affairs of the State, ‘What does it matter to me?’ the State may be given up for lost.”

### Debate Topics

A. The best form of government is a representative democracy.

B. Only the president should have the power to declare war.

C. A good way to make laws is for all the people to directly vote on them.

D. Religion should be a part of the government.

E. The government should have the authority to confiscate a person’s property for the public good.

### Additional Support/Scaffolds/Options

Additional philosophers of the European Enlightenment could be researched and their answers to the activity questions could be found using similar resources. Some suggestions are here:

### Summative Performance Task

<table>
<thead>
<tr>
<th>Summative Performance Task</th>
<th><strong>ARGUMENT</strong> Students will design an infographic in Piktochart or a similar infographic design tool titled US Constitution’s Influences. Students will be able to showcase their knowledge and understanding of Constitutional influences.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>EXTENSION</strong> Students use their infographic (above) to find 5-10 connections to the Universal Declaration of Human Rights</td>
</tr>
</tbody>
</table>

### Description

Students will create a Piktochart or similar infographic that details the main influences on the US Constitution. Subheadings can be created (Ancient World, English, and Philosophers) and students can summarize their findings on the influences of the US Constitution. Images, artwork, color, and textboxes can be used to effectively showcase student knowledge and understanding.

Possible sites that create free infographics:

1. [http://piktochart.com](http://piktochart.com)
2. [https://www.canva.com/create/infographics](https://www.canva.com/create/infographics)
3. [https://venngage.com/](https://venngage.com/)
4. Microsoft Word Smart Art

### Taking Informed Action

| Taking Informed Action | Students could conduct a survey within the team, department, or the school to determine what other students knew about Constitutional influences. The class could form small groups and design survey questions to assess publish results in the school newspaper or post near their Piktochart displays. The class could debate what questions would be helpful to gain insight on what students already knew and understood about the US Constitution. Another option might be to research what impact the US Constitutions had on the formation of other governments and their constitutions. |

DESCRIPTION/NOTE TO TEACHER: Taking informed action can manifest itself in a variety of forms and in a range of venues: Students may express action through discussions, debates, surveys, video productions, and the like; these actions may take place in the classroom, in the school, in the local community, across the state, and around the world.
Appendix 1:

Rubric for Summative Assessment - Infographic

Teachers can assess the products submitted and evaluate the overall knowledge, depth and understanding of the topics. There are 10 topics listed below but could be adjusted and scaled to suit teacher needs.

<table>
<thead>
<tr>
<th>Rubric for a C3 Inquiry: Influences on the US Constitution</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Degrees of Understanding &amp; Effectiveness</strong></td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>1. Influences Greece</td>
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<tr>
<td>2. Influences of Rome</td>
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<tr>
<td>3. Influences of the Magna Carta</td>
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<tr>
<td>4. Influences of the English Bill of Rights</td>
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<tr>
<td>5. Influences of Locke</td>
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<tr>
<td>6. Influences of Hobbes</td>
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<tr>
<td>7. Influences of Montesquieu</td>
</tr>
<tr>
<td>8. Connections to UN Dec. of Human Rights</td>
</tr>
<tr>
<td>9. Design, Structure, Layout</td>
</tr>
<tr>
<td>10. Connections are Explicit</td>
</tr>
</tbody>
</table>

Total Points: /40