

## Readings for Freedom Synthesis Essay

Dr. Gingrich, AP Lang and Comp, Fall 2012

Source A: Foner, Eric. "Not All Freedom is Made in America." *New York Times* 9 March 2003. Web 2 December, 2012.

**This is an essay published in a newspaper by Eric Foner a professor of American History at Columbia University.**

The war in Iraq seems to be heading for a successful conclusion. But the United States fought for more than military victory; it promised to bring freedom to the Iraqi people. This may prove more complicated than the Bush administration suspects. It may force us to think in new ways about what freedom is, and whether Americans have exclusive access to its meaning.

Freedom lies at the heart of our sense of ourselves as individuals and as a nation. The Declaration of Independence lists liberty among mankind's inalienable rights. The Civil War, which began as a struggle to save the Union, became a crusade to extend freedom to four million slaves. The United States fought World War II for the Four Freedoms, the cold war to defend the free world. After a false start in which he gave the war in Afghanistan the theological title Infinite Justice, President Bush rechristened it Enduring Freedom. And we are now engaged in Operation Iraqi Freedom.

Freedom quickly emerged as the official explanation for the war against terrorism. "Freedom itself is under attack," President Bush announced in his speech to Congress of Sept. 21, 2001. The National Security Strategy issued last fall begins not with a discussion of global politics or the doctrine of preemptive war, but with an invocation of freedom, defined as political democracy, freedom of expression, religious toleration and free enterprise. These, the document proclaims, "are right and true for every person, in every society."

The Bush administration did not originate the conviction that American freedom is universally applicable. Deeply embedded in our culture is the idea that the United States has a mission to demonstrate the superiority of free institutions and to spread freedom throughout the world. Colonial Puritans thought they were establishing a "city upon a hill," a model to be adopted by the rest of mankind. Thomas Jefferson described the United States as an "empire of liberty," whose territorial expansion should not be compared with Europe's imperial aggrandizement. During World War II, Franklin D. Roosevelt promised a global New Deal based on the Four Freedoms.

Foreign observers have often been bemused, to put it politely, by Americans' refusal to consider that other people may have thought about freedom and arrived at conclusions that might be worthy of consideration. When Alexis de Tocqueville visited the United States in the 1830's, he was struck by Americans' conviction that "they are the only religious, enlightened, and free people," and "form a species apart from the rest of the human race."

Desire for freedom certainly seems to be universal. Even those who wish it had been

accomplished without weakening international institutions cannot lament the fall of Saddam Hussein's bloody dictatorship. But as the United States embarks on the project of bringing freedom to Iraq, history suggests two notes of caution.

One is that far from being timeless and universal, our own definition of freedom has changed many times. The story of freedom is one of debates, disagreements and struggles rather than fixed definitions or uninterrupted progress toward a preordained goal.

Nineteenth-century Americans, for example, defined freedom in part as economic autonomy, achieved through owning a farm or small business. This was perfectly compatible with lack of freedom for those dependent on the male head of household, including the women in a family and, in the South, slaves. For much of the 20th century, many Americans thought economic security for ordinary citizens essential to freedom. In the 1960's, the civil rights and feminist movements redefined freedom as equality for those long held down by the larger society, and the counterculture called for freedom in lifestyle and culture.

In the last 20 years, in a kind of marriage of 60's personal liberation and free-market economics, the dominant meanings of freedom have centered on political democracy, unregulated free enterprise, low taxes, limited government and individual choice in matters like dress, leisure activities and sexual orientation. Rather than a set of universal principles, this constellation of values is the product of a particular moment and a specific historical experience.

A second point to remember is that freedom is more than a set of ideas. It must be embodied in institutions, popular values, and the law, and these only develop over time.

"How is it," asked Dr. Samuel Johnson during the American Revolution, "that we hear the loudest yelps for liberty among the drivers of Negroes?" Despite all the paeans to American freedom, equality before the law regardless of race is a recent and still fragile accomplishment. So too are strong legal and cultural supports for civil liberties, and these have been significantly weakened since the Sept. 11 attacks.

Current American ideas about freedom certainly resonate abroad. Eastern Europeans embraced them after the collapse of Communist rule. Indeed, the years since 1989 have witnessed an unprecedented internationalization of current American concepts of freedom. The "free world" triumphed over its Communist rival, the "free market" over the idea of a planned economy, and the "free individual" over the ethic of social citizenship.

The prevailing ideology of global free enterprise -- one element of freedom identified as timeless and universal in the National Security Strategy -- assumes that the economic life of all countries can and should be refashioned in the American image. This is the latest version of the nation's self-definition as a model for the entire world.

Nonetheless, other societies have their own historically developed definitions of freedom and ways of thinking about the social order, which may not exactly match ours. The unregulated free market, for example, can be profoundly destabilizing in societies organized on traditional lines of kinship, ethnicity or community.

At the height of the cold war, in his brilliant and sardonic survey of American political thought, "The Liberal Tradition in America," Louis Hartz observed that despite its deepened worldwide involvement, the United States was becoming more isolated intellectually. Prevailing ideas of freedom in the United States, he noted, had become so rigid that Americans could no longer appreciate definitions of freedom, common in other countries, related to social justice and economic equality, "and hence are baffled by their use."

Today, if Americans hope to cultivate the growth of liberty in Iraq, Hartz's call for them to engage in a dialogue with the rest of the world about the meaning of freedom seems more relevant than ever.

---

**Source B: United Nations. Human Rights Division. *Universal Declaration of Human Rights*. 1948. Dec 2, 2012. 2 Nov. 2004 <<http://www.un.org/Overview/rights.html>>.**

## **HISTORY OF THE DOCUMENT**

The Universal Declaration of Human Rights, which was adopted by the UN General Assembly on 10 December 1948, was the result of the experience of the Second World War. With the end of that war, and the creation of the United Nations, the international community vowed never again to allow atrocities like those of that conflict happen again. World leaders decided to complement the UN Charter with a road map to guarantee the rights of every individual everywhere. The document they considered, and which would later become the Universal Declaration of Human Rights, was taken up at the first session of the General Assembly in 1946. The Assembly reviewed this draft Declaration on Fundamental Human Rights and Freedoms and transmitted it to the Economic and Social Council "for reference to the Commission on Human Rights for consideration . . . in its preparation of an international bill of rights." The Commission, at its first session early in 1947, authorized its members to formulate what it termed "a preliminary draft International Bill of Human Rights". Later the work was taken over by a formal drafting committee, consisting of members of the Commission from eight States, selected with due regard for geographical distribution.

## **PREAMBLE**

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

**Now, Therefore THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS** as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

#### **Article 1.**

- All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

#### **Article 2.**

- Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

#### **Article 3.**

- Everyone has the right to life, liberty and security of person.

#### **Article 4.**

- No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

#### **Article 5.**

- No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

#### **Article 6.**

- Everyone has the right to recognition everywhere as a person before the law.

#### **Article 7.**

- All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

#### **Article 8.**

- Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

#### **Article 9.**

- No one shall be subjected to arbitrary arrest, detention or exile.

#### **Article 10.**

- Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

#### **Article 11.**

- (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
- (2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

#### **Article 12.**

- No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

#### **Article 13.**

- (1) Everyone has the right to freedom of movement and residence within the borders of each state.
- (2) Everyone has the right to leave any country, including his own, and to return to his country.

#### **Article 14.**

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

#### **Article 15.**

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

#### **Article 16.**

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

#### **Article 17.**

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

#### **Article 18.**

- Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

#### **Article 19.**

- Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

#### **Article 20.**

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

#### **Article 21.**

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

#### **Article 22.**

- Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

#### **Article 23.**

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

#### **Article 24.**

- Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

#### **Article 25.**

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

#### **Article 26.**

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote



understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

#### **Article 27.**

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

#### **Article 28.**

- Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

#### **Article 29.**

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

#### **Article 30.**

- Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

**Source C:**

**De Tocqueville, Alexis. *Democracy in America*. University of Virginia Database. Online. 2 December 2012. [http://xroads.virginia.edu/~Hyper/DETOC/toc\\_indx.html](http://xroads.virginia.edu/~Hyper/DETOC/toc_indx.html)**

Alexis De Tocqueville was sent by the French government to study the American penitentiary system in 1831. *Democracy in America* was published in two volumes in 1835 and 1840.

Chapter 11:

**LIBERTY OF THE PRESS IN THE UNITED STATES**

---

***DIFFICULTY of restraining the liberty of the press--Particular reasons that some nations have for cherishing this liberty--The liberty of the press a necessary consequence of the sovereignty of the people as it \* understood in America--Violent language of the periodical press in the United States--The periodical press has some peculiar instincts, proved by the example of the United States--Opinion of the Americans upon the judicial repression of the abuses of the press--Why the press is less powerful in America than in France.***

The influence of the liberty of the press does not affect political opinions alone, but extends to all the opinions of men and modifies customs as well as laws. In another part of this work I shall attempt to determine the degree of influence that the liberty of the press has exercised upon civil society in the United States and to point out the direction which it has given to the ideas as well as the tone which it has imparted to the character and the feelings of the Anglo-Americans. At present I propose only to examine the effects produced by the liberty of the press in the political world.

I confess that I do not entertain that firm and complete attachment to the liberty of the press which is wont to be excited by things that are supremely good in their very nature. I approve of it from a consideration more of the evils it prevents than of the advantages it ensures.

If anyone could point out an intermediate and yet a tenable position between the complete independence and the entire servitude of opinion, I should perhaps be inclined to adopt it, but the difficulty is to discover this intermediate position. Intending to correct the licentiousness of the press and to restore the use of orderly language, you first try the offender by a jury; but if the jury acquits him, the opinion which was that of a single individual becomes the opinion of the whole country. Too much and too little has therefore been done; go farther, then. You bring the delinquent before permanent magistrates; but even here the cause must be heard before it can be decided; and the very principles which no book would have ventured to avow are blazoned forth in the pleadings, and what was obscurely hinted at in a single composition is thus repeated in a multitude of other publications. The language is only the expression and, if I may so speak, the body of the thought, but it is not the thought itself. Tribunals may condemn the body, but the sense, the spirit of the work is too subtle for their authority. Too much has still been done to recede, too little to attain your end; you must go still farther. Establish a censorship of the press.

But the tongue of the public speaker will still make itself heard, and your purpose is not yet accomplished; you have only increased the mischief. Thought is not, like physical strength, dependent upon the number of its agents; nor can authors be counted like the troops that compose an army. On the contrary, the authority of a principle is often increased by the small number of men by whom it is expressed. The words of one strong-minded man addressed to the passions of a listening assembly have more power than the vociferations of a thousand orators; and if it be allowed to speak freely in any one public place, the consequence is the same as if free speaking was allowed in every village. The liberty of speech must therefore be destroyed as well as the liberty of the press. And now you have succeeded, everybody is reduced to silence. But your object was to repress the abuses of liberty, and you are brought to the feet of a despot. You have been led from the extreme of independence to the extreme of servitude without finding a single tenable position on the way at which you could stop.

There are certain nations which have peculiar reasons for cherishing the liberty of the press, independently of the general motives that I have just pointed out. For in certain countries which profess to be free, every individual agent of the government may violate the laws with impunity, since the constitution does not give to those who are injured a right of complaint before the courts of justice. In this case the liberty of the press is not merely one of the guarantees, but it is the only guarantee of their liberty and security that the citizens possess. If the rulers of these nations proposed to abolish the independence of the press, the whole people might answer: Give us the right of prosecuting your offenses before the ordinary tribunals, and perhaps we may then waive our right of appeal to the tribunal of public opinion.

In countries where the doctrine of the sovereignty of the people ostensibly prevails, the censorship of the press is not only dangerous, but absurd. When the right of every citizen to a share in the government of society is acknowledged, everyone must be presumed to be able to choose between the various opinions of his contemporaries and to appreciate the different facts from which inferences may be drawn. The sovereignty of the people and the liberty of the press may therefore be regarded as correlative, just as the censorship of the press and universal suffrage are two things which are irreconcilably opposed and which cannot long be retained among the institutions of the same people. Not a single individual of the millions who inhabit the United States has as yet dared to propose any restrictions on the liberty of the press. The first newspaper over which I cast my eyes, upon my arrival in America, contained the following article:

In all this affair, the language of Jackson [the President] has been that of a heartless despot, solely occupied with the preservation of his own authority. Ambition is his crime, and it will be his punishment, too: intrigue is his native element, and intrigue will confound his tricks, and deprive him of his power. He governs by means of corruption, and his immoral practices will redound to his shame and confusion. His conduct in the political arena has been that of a shameless and lawless gamester. He succeeded at the time; but the hour of retribution approaches, and he will be obliged to disgorge his winnings, to throw aside his false dice, and to end his days in some retirement, where he may curse his madness at his leisure; for repentance is a virtue with which his heart is likely to remain forever unacquainted. (*Vincenne's Gazette*.)

Many persons in France think that the violence of the press originates in the instability of the social state, in our political passions and the general feeling of uneasiness that consequently prevails; and it is therefore supposed that as soon as society has resumed a certain degree of composure, the press will abandon its present vehemence. For my own part, I would willingly attribute to these causes the extraordinary ascendancy which the press has acquired over the nation; but I do not think that they exercise much influence on its language. The periodical press appears to me to have passions and instincts of its own, independent of the circumstances in which it is placed; and the present condition of America corroborates this opinion.

America is perhaps, at this moment, the country of the whole world that contains the fewest germs of revolution; but the press is not less destructive in its principles there than in France, and it displays the same violence without the same reasons for indignation. In America as in France it constitutes a singular power, so strangely composed of mingled good and evil that liberty could not live without it, and public order can hardly be maintained against it. Its power is certainly much greater in France than in the United States, though nothing is more rare in the latter country than to hear of a prosecution being instituted against it. The reason for this is perfectly simple: the Americans, having once admitted the doctrine of the sovereignty of the people, apply it with perfect sincerity. It was never their intention out of elements which are changing every day to create institutions that should last forever; and there is consequently nothing criminal in an attack upon the existing laws, provided a violent infraction of them is not intended. They are also of the opinion that courts of justice are powerless to check the abuses of the press, and that, as the subtlety of human language perpetually eludes judicial analysis, offenses of this nature somehow escape the hand which attempts to seize them. They hold that to act with efficacy upon the press it would be necessary to find a tribunal not only devoted to the existing order of things, but capable of surmounting the influence of public opinion; a tribunal which should conduct its proceedings without publicity, which should pronounce its decrees without assigning its motives, and punish the intentions even more than the language of a writer. Whoever should be able to create and maintain a tribunal of this kind would waste his time in prosecuting the liberty of the press; for he would be the absolute master of the whole community and would be as free to rid himself of the authors as of their writings. In this question, therefore, there is no medium between servitude and license; in order to enjoy the inestimable benefits that the liberty of the press ensures, it is necessary to submit to the inevitable evils that it creates. To expect to acquire the former and to escape the latter is to cherish one of those illusions which commonly mislead nations in their times of sickness when, tired with faction and exhausted by effort, they attempt to make hostile opinions and contrary principles coexist upon the same soil.

The small influence of the American journals is attributable to several reasons, among which are the following:

The liberty of writing, like all other liberty, is most formidable when it is a novelty, for a people who have never been accustomed to hear state affairs discussed before them place implicit confidence in the first tribune who presents himself. The Anglo-Americans have enjoyed this liberty ever since the foundation of the colonies; moreover, the press cannot create human passions, however skillfully it may kindle them where they exist. In America political life is active, varied, even agitated, but is rarely affected by those deep passions which are excited only when material interests are impaired; and in the United States these interests are prosperous. A

glance at a French and an American newspaper is sufficient to show the difference that exists in this respect between the two nations. In France the space allotted to commercial advertisements is very limited, and the news intelligence is not considerable, but the essential part of the journal is the discussion of the politics of the day. In America three quarters of the enormous sheet are filled with advertisements, and the remainder is frequently occupied by political intelligence or trivial anecdotes; it is only from time to time that one finds a corner devoted to passionate discussions like those which the journalists of France every day give to their readers.

It has been demonstrated by observation, and discovered by the sure instinct even of the pettiest despots, that the influence of a power is increased in proportion as its direction is centralized. In France the press combines a twofold centralization; almost all its power is centered in the same spot and, so to speak, in the same hands, for its organs are far from numerous. The influence upon a skeptical nation of a public press thus constituted must be almost unbounded. It is an enemy with whom a government may sign an occasional truce, but which it is difficult to resist for any length of time.

Neither of these kinds of centralization exists in America. The United States has no metropolis; the intelligence and the power of the people are disseminated through all the parts of this vast country, and instead of radiating from a common point they cross each other in every direction; the Americans have nowhere established any central direction of opinion, any more than of the conduct of affairs. This difference arises from local circumstances and not from human power; but it is owing to the laws of the Union that there are no licenses to be granted to printers, no securities demanded from editors, as in France, and no stamp duty, as in France and England. The consequence is that nothing is easier than to set up a newspaper, as a small number of subscribers suffices to defray the expenses.

Hence the number of periodical and semi-periodical publications in the United States is almost incredibly large. The most enlightened Americans attribute the little influence of the press to this excessive dissemination of its power; and it is an axiom of political science in that country that the only way to neutralize the effect of the public journals is to multiply their number. I cannot see how a truth which is so self-evident should not already have been more generally admitted in Europe. I can see why the persons who hope to bring about revolutions by means of the press should be desirous of confining it to a few powerful organs, but it is inconceivable that the official partisans of the existing state of things and the natural supporters of the laws should attempt to diminish the influence of the press by concentrating its power. The governments of Europe seem to treat the press with the courtesy which the knights of old showed to their opponents; having found from their own experience that centralization is a powerful weapon, they have furnished their enemies with it in order doubtless to have more glory for overcoming them.

In America there is scarcely a hamlet that has not its newspaper. It may readily be imagined that neither discipline nor unity of action can be established among so many combatants, and each one consequently fights under his own standard. All the political journals of the United States are, indeed, arrayed on the side of the administration or against it; but they attack and defend it in a thousand different ways. They cannot form those great currents of opinion which sweep away the strongest dikes. This division of the influence of the press produces other consequences

scarcely less remarkable. The facility with which newspapers can be established produces a multitude of them; but as the competition prevents any considerable profit, persons of much capacity are rarely led to engage in these undertakings. Such is the number of the public prints that even if they were a source of wealth, writers of ability could not be found to direct them all. The journalists of the United States are generally in a very humble position, with a scanty education and a vulgar turn of mind. The will of the majority is the most general of laws, and it establishes certain habits to which everyone must then conform; the aggregate of these common habits is what is called the class spirit (*esprit de corps*) of each profession; thus there is the class spirit of the bar, of the court, etc. The class spirit of the French journalists consists in a violent but frequently an eloquent and lofty manner of discussing the great interests of the state, and the exceptions to this mode of writing are only occasional. The characteristics of the American journalist consist in an open and coarse appeal to the passions of his readers; he abandons principles to assail the characters of individuals, to track them into private life and disclose all their weaknesses and vices.

Nothing can be more deplorable than this abuse of the powers of thought. I shall have occasion to point out hereafter the influence of the newspapers upon the taste and the morality of the American people, but my present subject exclusively concerns the political world. It cannot be denied that the political effects of this extreme license of the press tend indirectly to the maintenance of public order. Individuals who already stand high in the esteem of their fellow citizens are afraid to write in the newspapers, and they are thus deprived of the most powerful instrument that they can use to excite the passions of the multitude to their own advantage.<sup>1</sup>

The personal opinions of the editors have no weight in the eyes of the public. What they seek in a newspaper is a knowledge of facts, and it is only by altering or distorting those facts that a journalist can contribute to the support of his own views.

But although the press is limited to these resources, its influence in America is immense. It causes political life to circulate through all the parts of that vast territory. Its eye is constantly open to detect the secret springs of political designs and to summon the leaders of all parties in turn to the bar of public opinion.

It rallies the interests of the community round certain principles and draws up the creed of every party; for it affords a means of intercourse between those who hear and address each other without ever coming into immediate contact. When many organs of the press adopt the same line of conduct, their influence in the long run becomes irresistible, and public opinion, perpetually assailed from the same side, eventually yields to the attack. In the United States each separate journal exercises but little authority; but the power of the periodical press is second only to that of the people.<sup>2</sup> *THE OPINIONS established in the United States under the influence of the liberty of the press are frequently more firmly rooted than those which are formed elsewhere under the sanction of a censor.*

IN the United States democracy perpetually brings new men to the conduct of public affairs, and the administration consequently seldom preserves consistency or order in its measures. But the general principles of the government are more stable and the chief opinions which regulate society are more durable there than in many other countries. When once the Americans have

taken up an idea, whether it be well or ill founded, nothing is more difficult than to eradicate it from their minds. The same tenacity of opinion has been observed in England, where for the last century greater freedom of thought and more invincible prejudices have existed than in any other country of Europe. I attribute this to a cause that may at first sight appear to have an opposite tendency: namely, to the liberty of the press. The nations among whom this liberty exists cling to their opinions as much from pride as from conviction. They cherish them because they hold them to be just and because they chose them of their own free will; and they adhere to them, not only because they are true, but because they are their own. Several other reasons conduce to the same end.

It was remarked by a man of genius that "ignorance lies at the two ends of knowledge." Perhaps it would have been more correct to say that strong convictions are found only at the two ends, and that doubt lies in the middle. The human intellect, in truth, may be considered in three distinct states, which frequently succeed one another.

A man believes firmly because he adopts a proposition without inquiry. He doubts as soon as objections present themselves. But he frequently succeeds in satisfying these doubts, and then he begins again to believe. This time he has not a dim and casual glimpse of the truth, but sees it clearly before him and advances by the light it gives.<sup>3</sup>

When the liberty of the press acts upon men who are in the first of these three states, it does not immediately disturb their habit of believing implicitly without investigation, but it changes every day the objects of their unreflecting convictions. The human mind continues to discern but one point at a time upon the whole intellectual horizon, and that point is constantly changing. This is the period of sudden revolutions. Woe to the generations which first abruptly adopt the freedom of the press.

The circle of novel ideas, however, is soon traveled over. Experience comes to undeceive men and plunges them into doubt and general mistrust. We may rest assured that the majority or mankind will always remain in one of these two states, will either believe they know not wherefore, or will not know what to believe. Few are those who can ever attain to that other state of rational and independent conviction which true knowledge can produce out of the midst of doubt.

It has been remarked that in times of great religious fervor men sometimes change their religious opinions; whereas in times of general skepticism everyone clings to his old persuasion. The same thing takes place in politics under the liberty of the press. In countries where all the theories of social science have been contested in their turn, men who have adopted one of them stick to it, not so much because they are sure of its truth as because they are not sure that there is any better to be had. In the present age men are not very ready to die for their opinions, but they are rarely inclined to change them; there are few martyrs as well as few apostates.

Another still more valid reason may be adduced: when no opinions are looked upon as certain, men cling to the mere instincts and material interests of their position, which are naturally more tangible, definite, and permanent than any opinions in the world.

It is a very difficult question to decide whether an aristocracy or a democracy governs the best. But it is certain that democracy annoys one part of the community and that aristocracy oppresses another. It is a truth which is self-established, and one which it is needless to discuss, that "you are rich and I am poor." .



**Source D: The Bill of Rights United States. National Archives and Records Administration. The Bill of Rights. 29 Jan. 1998. 2 Dec. 2012**

**<[http://www.archives.gov/exhibits/charters/bill\\_of\\_rights\\_transcript.html](http://www.archives.gov/exhibits/charters/bill_of_rights_transcript.html)>**

The initial Bill of Rights is the collective name of the 1<sup>st</sup> 10 amendments to the U.S. Constitution. The initial convention was held in 1787 in Philadelphia. James Madison, the 4<sup>th</sup> president, proposed the amendments in 1789 and they were ratified in 1791. George Washington first became president in 1789.

### **Amendment I**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

---

### **Amendment II**

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

---

### **Amendment III**

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

---

### **Amendment IV**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

---

### **Amendment V**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

---

### **Amendment VI**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which

district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

---

#### **Amendment VII**

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

---

#### **Amendment VIII**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

---

#### **Amendment IX**

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

---

#### **Amendment X**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

## Source E:

Thoreau, Henry David. "Civil Disobedience." *The Thoreau Reader*. The Thoreau Society. Web. 2 Dec. 2012. <http://thoreau.eserver.org/civil.html>

Henry David Thoreau was a noted writer and leader of the Transcendentalist literary movement.

## Civil Disobedience - Part 1 of 3

Thoreau Reader: [Home](#) - [Civil Disobedience Intro](#) - [Civil Disobedience - 2](#)

---

I HEARTILY ACCEPT the motto, — "That government is best which governs least";<sup>(1)</sup> and I should like to see it acted up to more rapidly and systematically. Carried out, it finally amounts to this, which also I believe, — "That government is best which governs not at all"; and when men are prepared for it, that will be the kind of government which they will have. Government is at best but an expedient; but most governments are usually, and all governments are sometimes, inexpedient. The objections which have been brought against a standing army, and they are many and weighty, and deserve to prevail, may also at last be brought against a standing government. The standing army is only an arm of the standing government. The government itself, which is only the mode which the people have chosen to execute their will, is equally liable to be abused and perverted before the people can act through it. Witness the present Mexican war,<sup>(2)</sup> the work of comparatively a few individuals using the standing government as their tool; for, in the outset, the people would not have consented to this measure.

[2] This American government — what is it but a tradition, though a recent one, endeavoring to transmit itself unimpaired to posterity, but each instant losing some of its integrity? It has not the vitality and force of a single living man; for a single man can bend it to his will. It is a sort of wooden gun to the people themselves. But it is not the less necessary for this; for the people must have some complicated machinery or other, and hear its din, to satisfy that idea of government which they have. Governments show thus how successfully men can be imposed on, even impose on themselves, for their own advantage. It is excellent, we must all allow. Yet this government never of itself furthered any enterprise, but by the alacrity with which it got out of its way. *It* does not keep the country free. *It* does not settle the West. *It* does not educate. The character inherent in the American people has done all that has been accomplished; and it would have done somewhat more, if the government had not sometimes got in its way. For government is an expedient by which men would fain succeed in letting one another alone; and, as has been said, when it is most expedient, the governed are most let alone by it. Trade and commerce, if they were not made of India rubber,<sup>(3)</sup> would never manage to bounce over the obstacles which legislators are continually putting in their way; and, if one were to judge these men wholly by the effects of their actions, and not partly by their intentions, they would deserve to be classed and punished with those mischievous persons who put obstructions on the railroads.

[3] But, to speak practically and as a citizen, unlike those who call themselves no-government men,<sup>(4)</sup> I ask for, not at once no government, but *at once* a better government. Let every man

make known what kind of government would command his respect, and that will be one step toward obtaining it.

[4] After all, the practical reason why, when the power is once in the hands of the people, a majority are permitted, and for a long period continue, to rule, is not because they are most likely to be in the right, nor because this seems fairest to the minority, but because they are physically the strongest. But a government in which the majority rule in all cases cannot be based on justice, even as far as men understand it. Can there not be a government in which majorities do not virtually decide right and wrong, but conscience? — in which majorities decide only those questions to which the rule of expediency is applicable? Must the citizen ever for a moment, or in the least degree, resign his conscience to the legislator? Why has every man a conscience, then? I think that we should be men first, and subjects afterward. It is not desirable to cultivate a respect for the law, so much as for the right. The only obligation which I have a right to assume is to do at any time what I think right. It is truly enough said that a corporation has no conscience; but a corporation of conscientious men is a corporation *with* a conscience. Law never made men a whit more just; and, by means of their respect for it, even the well-disposed are daily made the agents of injustice. A common and natural result of an undue respect for law is, that you may see a file of soldiers, colonel, captain, corporal, privates, powder-monkeys,<sup>(5)</sup> and all, marching in admirable order over hill and dale to the wars, against their wills, ay, against their common sense and consciences, which makes it very steep marching indeed, and produces a palpitation of the heart. They have no doubt that it is a damnable business in which they are concerned; they are all peaceably inclined. Now, what are they? Men at all? or small movable forts and magazines, at the service of some unscrupulous man in power? Visit the Navy Yard, and behold a marine, such a man as an American government can make, or such as it can make a man with its black arts — a mere shadow and reminiscence of humanity, a man laid out alive and standing, and already, as one may say, buried under arms with funeral accompaniments, though it may be

"Not a drum was heard, not a funeral note,  
As his corse to the rampart we hurried;  
Not a soldier discharged his farewell shot  
O'er the grave where our hero we buried."<sup>(6)</sup>

[5] The mass of men serve the state thus, not as men mainly, but as machines, with their bodies. They are the standing army, and the militia, jailers, constables, *posse comitatus*,<sup>(7)</sup> etc. In most cases there is no free exercise whatever of the judgment or of the moral sense; but they put themselves on a level with wood and earth and stones; and wooden men can perhaps be manufactured that will serve the purpose as well. Such command no more respect than men of straw or a lump of dirt. They have the same sort of worth only as horses and dogs. Yet such as these even are commonly esteemed good citizens. Others, as most legislators, politicians, lawyers, ministers, and office-holders, serve the state chiefly with their heads; and, as they rarely make any moral distinctions, they are as likely to serve the devil, without *intending* it, as God. A very few, as heroes, patriots, martyrs, reformers in the great sense, and *men*, serve the state with their consciences also, and so necessarily resist it for the most part; and they are commonly treated as enemies by it. A wise man will only be useful as a man, and will not submit to be "clay," and "stop a hole to keep the wind away,"<sup>(8)</sup> but leave that office to his dust at least: —

"I am too high-born to be propertied,  
To be a secondary at control,  
Or useful serving-man and instrument  
To any sovereign state throughout the world."[\(9\)](#)

[6] He who gives himself entirely to his fellow-men appears to them useless and selfish; but he who gives himself partially to them is pronounced a benefactor and philanthropist.

[7] How does it become a man to behave toward this American government to-day? I answer, that he cannot without disgrace be associated with it. I cannot for an instant recognize that political organization as *my* government which is the *slave's* government also.

**Source F: King, Jr. Martin Luther “I Have A Dream.” *Teaching American History*. Web. 2 Dec. 2012.** <<http://teachingamericanhistory.org/library/index.asp?document=40>>

I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.

Five score years ago, a great American, in whose symbolic shadow we stand, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves, who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of captivity. But one hundred years later, we must face the tragic fact that the Negro is still not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination.

One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languishing in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize an appalling condition.

In a sense we have come to our nation’s Capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir.

This note was a promise that all men would be guaranteed the inalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro a bad check, a check which has come back marked "insufficient funds."

But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice.

We have also come to this hallowed spot to remind America of the fierce urgency of Now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism.

Now is the time to make real the promises of democracy.

Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice.

Now is the time to open the doors of opportunity to all God’s children.

Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood.

It would be fatal for the nation to overlook the urgency of the moment and to underestimate the determination of the Negro. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end but a beginning. Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual.

There will be neither rest nor tranquility in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something that I must say to my people who stand on the warm threshold which leads into the palace of justice. In the process of gaining our rightful place, we must not be guilty of wrong deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force. The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny and their freedom is inextricably bound to our freedom. We cannot walk alone.

And as we walk, we must make the pledge that we shall march ahead. We cannot turn back. There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality. We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities.

We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one.

We cannot be satisfied as long as a Negro in Mississippi cannot vote, and a Negro in New York believes he has nothing for which to vote.

No, no we are not satisfied and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of great trials and tribulations. Some of you have come fresh from narrow jail cells. Some of you have come from areas where your quest for freedom left you battered by storms of persecutions and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to South Carolina, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our modern cities, knowing that somehow this situation can and will be changed.

Let us not wallow in the valley of despair. I say to you today, my friends, that in spite of the difficulties and frustrations of the moment, I still have a dream.

It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed. "We hold these truths to be self-evident that all men are created equal."

I have a dream that one day out on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a desert state sweltering with the heat and injustice of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today.

I have a dream that one day the state of Alabama, whose governor's lips are presently dripping with the words of interposition and nullification, will be transformed into a situation where little black boys and black girls will be able to join hands with little white boys and white girls and walk together as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plains and the crooked places will be made straight and the glory of the Lord shall be revealed and all flesh shall see it together.

This is our hope. This is the faith with which I return to the South. With this faith we will be able to hew out of the mountain of despair a stone of hope.

With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood.

With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with new meaning "My country 'tis of thee, sweet land of liberty, of thee I sing. Land where my fathers died, land of the Pilgrim's pride, from every mountainside, let freedom ring!"

And if America is to be a great nation, this must become true. So let freedom ring from the prodigious hilltops of New Hampshire. Let freedom ring from the mighty mountains of New York.



Let freedom ring from the heightening Alleghenies of Pennsylvania.

Let freedom ring from the snow-capped Rockies of Colorado.

Let freedom ring from the curvaceous peaks of California.

But not only that, let freedom, ring from Stone Mountain of Georgia.

Let freedom ring from Lookout Mountain of Tennessee.

Let freedom ring from every hill and molehill of Mississippi. From every mountainside, let freedom ring.

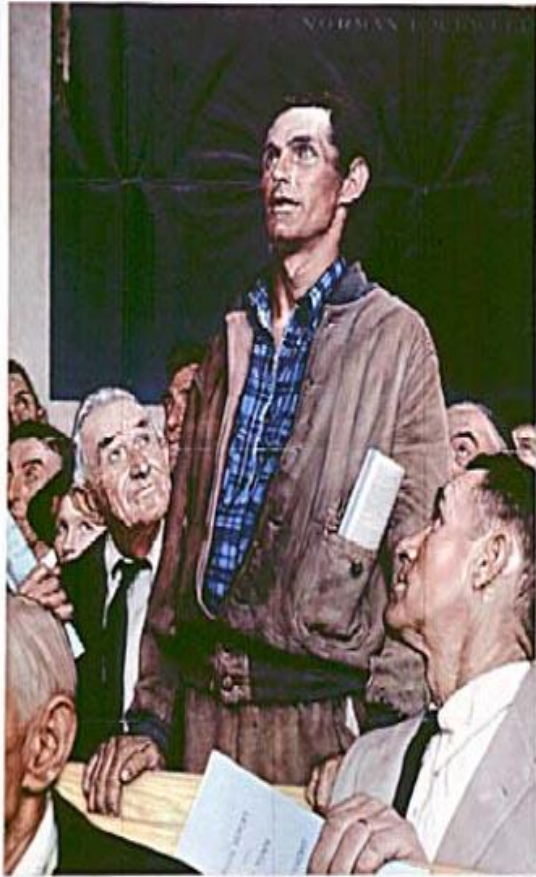
When we let freedom ring, when we let it ring from every village and every hamlet, from every state and every city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, "Free at last, free at last. Thank God Almighty, we are free at last."

**Source G: Rockwell, Norman. *The Four Freedoms*. ©1943 SEPS: The Curtis Publishing Co., Agent. Printed by the Government Printing Office for the Office of War Information NARA Still Picture Branch (NWDNS-208-PMP-46). Web. 2 Dec. 2012.**

**<[http://www.archives.gov/exhibits/powers\\_of\\_persuasion/four\\_freedoms/four\\_freedoms.html](http://www.archives.gov/exhibits/powers_of_persuasion/four_freedoms/four_freedoms.html)>**

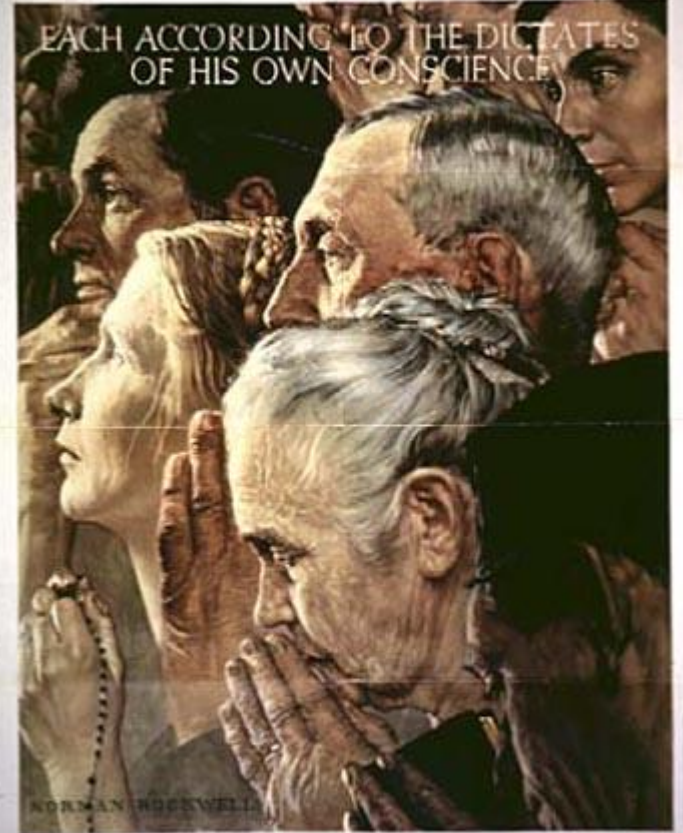
The following four items were commissioned by the United States Government to be painted by Norman Rockwell to encourage American citizens to purchase war bonds. They initially appeared in the publication *The Saturday Evening Post*.

**SAVE FREEDOM OF SPEECH**



**BUY WAR BONDS**

**SAVE FREEDOM OF WORSHIP**



**BUY WAR BONDS**

**OURS...to fight for**



**FREEDOM FROM WANT**

**OURS...to fight for**



**FREEDOM FROM FEAR**