

COLONIAL
ORIGINS *of the*
AMERICAN
CONSTITUTION

2005

A DOCUMENTARY HISTORY

Edited and with an Introductory Essay by Donald S. Lutz

Colonial Origins Of The American Constitution

Alvin Rabushka



Colonial Origins Of The American Constitution:

Colonial Origins of the American Constitution Donald S. Lutz, 1998 Presents 80 documents selected to reflect Eric Voegelin's theory that in Western civilization basic political symbolizations tend to be variants of the original symbolization of Judeo-Christian religious tradition These documents demonstrate the continuity of symbols preceding the writing of the Constitution and all contain a number of basic symbols such as a constitution as higher law popular sovereignty legislative supremacy the deliberative process and a virtuous people Annotation copyrighted by Book News Inc Portland OR [The American Constitutional Tradition](#) H. Lowell Brown, 2017-05-24 The book is a work of non-fiction The book is a historical analysis of the evolution of a uniquely American constitutionalism that began with the original English royal charters for the exploration and exploitation of North America When the U.S. Constitution was written in 1787 the accepted conception of a constitution was that of the British constitution upon which the colonists had relied in asserting their rights with respect to the imperium comprised of ancient documents parliamentary enactments administrative regulations judicial pronouncements and established custom Of equal significance the laws comprising the constitution did not differ from other statutes and as a consequence there was no law endowed with greater sanctity than other legislative enactments In framing the revolutionary state constitutions following the retreat of the crown governments in the colonies as well as the later federal Constitution the Revolutionaries fundamentally reconceived a constitution as being the single authoritative source of fundamental law that was superior to all other statutes regulations and judicial decisions that was ratified by the states and that was subject to revision only through a formal amendment process This new constitutional conception has been hailed as the great innovation of the revolutionary period and deservedly so This American constitutionalism had its origins in the now largely overlooked royal charters for the exploration of North America beginning with the charter granted to Sir Humphrey Gilbert by Elizabeth I in 1578 The book follows the development of this constitutional tradition from the early charters of the Virginia Companies and the covenants entered of the New England colonies through the proprietary charters of the Middle Atlantic colonies On the basis of those foundational documents the colonists fashioned governments that came to be comprised not only of an executive but an elected legislature and a judiciary In those foundational documents and in the acts of the colonial legislatures the settlers sought to harmonize their aspirations for just institutions and individual rights with the exigencies and imperatives of an alien and often hostile environment When the colonies faced the withdrawal of the crown governments in 1775 they drew on their experience which they formalized in written constitutions This uniquely American constitutional tradition of the charters covenants and state constitutions was the foundation of the federal Constitution and of the process by which the Constitution was written and ratified a decade later *The American Revolution, State Sovereignty, and the American Constitutional Settlement, 1765-1800* Aaron N. Coleman, 2016-03-04 Tracing the political ideological and constitutional arguments from the imperial crisis with Britain and the drafting of the Articles of Confederation to the

ratification of the Constitution and the political conflict between Federalists and Jeffersonians The American Revolution State Sovereignty and the American Constitutional Settlement 1765 1800 reveals the largely forgotten importance of state sovereignty to American constitutionalism Contrary to modern popular perceptions and works by other academics the Founding Fathers did not establish a constitutional system based upon a national popular sovereignty nor a powerful national government designed to fulfill a grand philosophical purpose Instead most Americans throughout the period maintained that a constitutional order based upon the sovereignty of states best protected and preserved liberty Enshrining their preference for state sovereignty in Article II of the Articles of Confederation and in the Tenth and Eleventh Amendments to the federal constitution Americans also claimed that state interposition the idea that the states should intervene against any perceived threats to liberty posed by centralization was an established and accepted element of state sovereignty **Colonial**

America: An Encyclopedia of Social, Political, Cultural, and Economic History James Ciment, 2016-09-16 No era in American history has been more fascinating to Americans or more critical to the ultimate destiny of the United States than the colonial era Between the time that the first European settlers established a colony at Jamestown in 1607 through the signing of the Declaration of Independence the outlines of America's distinctive political culture economic system social life and cultural patterns had begun to emerge Designed to complement the high school American history curriculum as well as undergraduate survey courses Colonial America An Encyclopedia of Social Political Cultural and Economic History captures it all the people institutions ideas and events of the first three hundred years of American history While it focuses on the thirteen British colonies stretching along the Atlantic Colonial America sets this history in its larger contexts Entries also cover Canada the American Southwest and Mexico and the Caribbean and Atlantic world directly impacting the history of the thirteen colonies This encyclopedia explores the complete early history of what would become the United States including portraits of Native American life in the immediate pre contact period early Spanish exploration and the first settlements by Spanish French Dutch Swedish and English colonists This monumental five volume set brings America's colonial heritage vibrantly to life for today's readers It includes thematic essays on major issues and topics detailed A Z entries on hundreds of people institutions events and ideas thematic and regional chronologies hundreds of illustrations primary documents and a glossary and multiple indexes

Readings on the Development of the AMERICAN CONSTITUTION O. Lawrence Burnette, Jr., 2011-01-13 This compilation is an effort historically to trace the systematic and ordered changes in Constitutional thinking by judicious selection of the key operative phrases and concepts imbedded in hundreds of cases of varying importance more clearly to illustrate the evolutionary process by which the Constitution has come to have its current form and meaning The effort has been to extract from the hundreds of case decisions and dissents those immutable words and phrases which capture the essence of the points at issue in the Justice's own words just as they wrote them in the white heat of judicial argument Moreover the effort has been to trace the chain of precedents for cases and concepts more clearly to

show how the jigs and jogs of decisions have altered the Constitution as applied. Whether or not agreed to being the subject of strong controversy between the members of the Court itself, that process is one of organic evolutionary growth reflecting the changing times, concepts, legal theory, and political ideas in the American experience. In a larger perspective, the Constitution has been the greatest American export to a world grappling with the desire to emulate the American experience of liberty under law. The volume will be of interest to students of the subject as well as the legal profession; it is the product of a lifetime spent in the study and teaching of the Great Document.

Early New England David A. Weir, 2005. The idea of covenant was at the heart of early New England society. In this singular book, David Weir explores the origins and development of covenant thought in America by analyzing the town and church documents written and signed by seventeenth-century New Englanders. Unmatched in the breadth of its scope, this study takes into account all of the surviving covenants in all of the New England colonies. Weir's comprehensive survey of seventeenth-century covenants leads to a more complex picture of early New England than what emerges from looking at only a few famous civil covenants like the Mayflower Compact. His work shows covenant theology being transformed into a covenantal vision for society but also reveals the stress and strains on church-state relationships that eventually led to more secularized colonial governments in eighteenth-century New England. He concludes that New England colonial society was much more English and much less American than has often been thought and that the New England colonies substantially mirrored religious and social change in Old England.

Re-Framers John R. Vile, 2014-07-15. This book is the most comprehensive review of all the major proposals to rewrite, revise, or even replace the U.S. Constitution, covering more than 170 proposals from the nation's beginnings to the present day. The U.S. Constitution was carefully written by a remarkable group of men, but subsequent generations of Americans have devoted enormous time and energy to improving it. From colonial times to the present day, Americans of all political persuasions have campaigned to reform, remake, or replace this key document. The growth of the Internet and self-publishing has spawned a virtual explosion of such proposals. This book documents the numerous ideas for change, some practical, some idealistic, and some bordering on fanatical, that reflect America's Constitutional heritage and could shape the nation's future.

Re-Framers: 170 Eccentric, Visionary, and Patriotic Proposals to Rewrite the U.S. Constitution sets the stage for this review by describing various prequels to the U.S. Constitution and explaining how the final document emerged at the Constitutional Convention. The subsequent chapters examine many proposed alternatives and revisions to the Constitution from its establishment until the present, illuminating perceived strengths and weaknesses of the current document as well as the pros and cons of possible amendments. Readers ranging from lay citizens who are interested in constitutional issues to historians, political scientists, law professors, and reference librarians will all benefit from this unparalleled examination of proposed constitutional amendment.

The U.S. Justice System Steven Harmon Wilson, 2011-12-06. A comprehensive three-volume set that provides detailed background essays, short topical entries, and primary document excerpts to explain the organization

history and functioning of the U S justice system The U S Justice System An Encyclopedia is a one stop resource uniquely structured to include both introductory information as well as more in depth and detailed resources It explains not only how the American civil and criminal justice system affects the parties to a particular case or other legal action but also how the rights benefits and legal protections of our country impact virtually all people in America The set comprises three volumes The first volume provides chapter length essays explaining the organization and functioning of federal state and local government as well as the working of federal and state judiciaries regulatory bodies and penal systems The second volume contains shorter alphabetically arranged entries on hundreds of law related topics including case descriptions and biographies of major figures federal and state court organizational charts legal statistics and other background information The third volume contains original documents statutes and texts of important cases relevant to the functioning of the American justice system Readers will understand the structures concepts and vocabulary of American law and legal institutions and grasp how the U S legal system has evolved to meet the complex changing needs of the nation *Defending the Republic* Bruce Frohnen, Kenneth L. Grasso, 2022-10-07 In recent years our constitutional order has increasingly come under attack as irredeemably undemocratic racist and oppressive At the same time it is increasingly obvious that political practices in the United States have strayed very far from the founders designs and become deeply dysfunctional The time is thus ripe for renewed reflection about the American political tradition This volume reintroduces readers to the conservative tradition of political and constitutional discourse It brings together prominent political scientists and legal scholars all of whom were deeply influenced by the life and work of the eminent constitutional scholar George W Carey For over 40 years Carey strove mightily to explain the nature and requirements of our political tradition How it fostered meaningful virtuous self government and how our constitutional tradition has been derailed by progressivist ideology He is perhaps best known for his concept of constitutional morality the understanding that our republican constitutional order can be sustained only by a combination of formal mechanisms e g separation of powers and unwritten norms standards of behavior that act to foster deliberation and consensus as well as keep political actors within the boundaries of their constitutional offices Contributors including Francis Canavan Claes G Ryn Paul Edward Gottfried and Peter Augustine Lawler discuss and develop Carey s key insights applying them to issues from the nature of majoritarian government to the purposes of constitutionalism to the decline of virtue that has accompanied the expansion of power among national and international elites Each essay provides penetrating analysis of key aspects of our tradition its inherent purposes growth and subsequent derailment as well as the resources remaining within that tradition for the rebuilding of our constitutional order and a decent common life

Taxation in Colonial America Alvin Rabushka, 2015-07-28 Taxation in Colonial America examines life in the thirteen original American colonies through the revealing lens of the taxes levied on and by the colonists Spanning the turbulent years from the founding of the Jamestown settlement to the outbreak of the American Revolution Alvin Rabushka provides

the definitive history of taxation in the colonial era and sets it against the backdrop of enormous economic political and social upheaval in the colonies and Europe Rabushka shows how the colonists strove to minimize avoid and evade British and local taxation and how they used tax incentives to foster settlement He describes the systems of public finance they created to reduce taxation and reveals how they gained control over taxes through elected representatives in colonial legislatures Rabushka takes a comprehensive look at the external taxes imposed on the colonists by Britain the Netherlands and Sweden as well as internal direct taxes like poll and income taxes He examines indirect taxes like duties and tonnage fees as well as county and town taxes church and education taxes bounties and other charges He links the types and amounts of taxes with the means of payment be it gold coins agricultural commodities wampum or furs and he compares tax systems and burdens among the colonies and with Britain This book brings the colonial period to life in all its rich complexity and shows how colonial attitudes toward taxation offer a unique window into the causes of the revolution

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