

## Winter History & Heritage -- #9 (Feb. 24)

### **American Federalism --- (W. Watkins, Jr.; *Chronicles*, Feb. 2014)**

**This precept** undergirds America's Old Republic: a confederated Union of States, the liberties of which are safeguarded by a constitutionally-limited general government? Today, the precept is making an odd comeback of sorts particularly in States like Colorado, where recreational use of marijuana is legal despite U.S. laws to the contrary. D.C.'s Department of Justice, apparently mindful of millions of Americans who just want to get high, says it won't interfere with State prerogatives when it comes to pot.

### **Roman Law --- (Kirk; *Roots of American Order*, pp. 106-113)**

**This instrument of Roman justice** was subdivided into three distinct bodies of rules: *jus civile*, *jus gentium*, and *jus naturale*? Preexisting and grounding the statutes of the People and Senate, the first two bodies expressed longstanding customs and applied to native Romans (*jus civile*) or to various tribes under Roman rule (*jus gentium*). Greater awareness slowly dawned of a *jus naturale* rooted in eternity and in human nature generally as a way of reconciling differing and conflicting tribal customs.

### **Cicero --- (Kirk; *Roots*, pp. 106-113)**

**This Roman statesman (106--43 BC)**, a fierce opponent of revolutionary social change, was, paradoxically, a hero to nearly all the men of the American Revolution? Scholarly study of his orations and writings (even his personal letters) featured prominently in British and American schools in the 17th- and 18th-centuries and beyond. For our forefathers, his masterful rhetoric, his effective practice of law, his theory of natural law, and his loyalty to the old Roman Republic were irresistible.

### **Natural Law --- (Kirk; *Roots*, pp. 106-113)**

**This principle of order** authored by God, wrote Cicero, shows up as right reason, moral imagination, and "true law" in the minds of men? Cicero, the anti-revolutionary traditionalist, did not believe the true law's proper use was to weigh all society's customs and statutes in the balance and, finding them wanting, throw them out. Rather, by moral imagination good men are drawn to a higher vocation and accountability by which they may preserve and improve upon what is best in their own worlds.

### **The Cause of Revolution --- (Kirk; *Roots*, pp. 106-113)**

**This political cause**, always tempting seldom beneficial, was advanced by a doubtful appeal to natural law and natural rights in late 18th-century (1700's) France? Such a cause seeks to overthrow an old, time-tested social-political order to make way for a new ideological one (conceived by mere reason without roots in tradition or experience). Many believe what is said of the French radicals could be said of the American Founders, but the latter appealed to "Nature" to save their heritage, not destroy it.

**(sources for the summaries in Q&A form are indicated; this post (#9) is the last of the season to be followed by our Winter 2014 History & Heritage Test)**