

**HISTORY AND CIVIL
GOVERNMENT OF MISSOURI, TO
WHICH
IS APPENDED THE CONSTITUTION
OF THE UNITED STATES**

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History and Civil Government of Missouri, to which is Appended the Constitution of the United States by J. U. Barnard

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HISTORY

AND

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Civil Government of Missouri

TO WHICH IS APPENDED

THE CONSTITUTION OF THE UNITED STATES

BY

J. U. BARNARD

PROFESSOR OF PEDAGOGY IN THE UNIVERSITY OF MISSISSIPPI; SOME-
TIME PROFESSOR IN THE STATE NORMAL SCHOOLS
OF MISSOURI



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Henry of Missouri

GENERAL INTRODUCTION

TO

The State Government Series.

By B. A. HINSDALE, Ph.D., LL.D.



THE character of the volumes that will comprise The State Government Series is indicated by the name of the series itself. More definitely, they will combine two important subjects of education, history and government. It is proposed in this Introduction briefly to set forth the educational character and value of these subjects, and to offer some hints as to the way in which they should be studied and taught, particularly as limited by the character of the Series.

I. THE EDUCATIONAL VALUE OF HISTORY AND GOVERNMENT.

Not much reflection is required to show that both of these subjects have large practical or guidance value, and that they also rank high as disciplinary studies.

1. *History*.—When it is said that men need the experience of past ages to widen the field of their personal observation and of contemporary knowledge, to correct their narrow views and mistaken opinions, to furnish them high ideals, and to give them inspiration or motive force; and that history is the main channel through which this valuable experience is transmitted to them,—this should be sufficient to show that history is a very important subject of education. On this point the most competent men of both ancient and modern times have delivered the most convincing testimony. Cicero called history “the witness of times, the light

of truth, and the mistress of life." Diodorus Siculus said it was "a handmaid of Providence, a priestess of truth, and a mother of life." Dionysius of Halicarnassus said "history is philosophy teaching by examples," and Lord Bolingbroke lent his sanction to the saying. Guizot declared history to be "a great school of truth, reason, and virtue." Locke said it was "the great mother of prudence and national knowledge." Bacon said it supplies examples. Milton thought children should be taught "the beginning, the end, and the reasons of political societies." Another writer affirms that "history furnishes the best training in patriotism, and enlarges the sympathies and interests." Bishop Stubbs contends that it is a good school of the judgment. Macaulay said: "The real use of traveling to distant countries, and of studying the annals of past times, is to preserve them from the contraction of mind which those can hardly escape whose whole commerce is with one generation and one neighborhood." Still another writer speaks of exclusive devotion to such studies as botany and biology as "incapacitating one for what is, of all things, most practical, viz.: historical reasoning."

In every great field of human activity the lessons of history are invaluable—in politics, religion, education, moral reform, war, scientific investigation, invention, and practical business affairs. The relations of history and politics are peculiarly close. There could be no science of politics without history, and practical politics could hardly be carried on. But more than this, there can be no better safeguard than the lessons of history against the specious but dangerous ideas and schemes in relation to social subjects that float in the atmosphere of all progressive countries. In fact, there is no other safeguard that is so good as these lessons; they are experience teaching by examples. The man who has studied the history of the Mississippi Scheme, the South Sea Bubble, or some of the less celebrated industrial or economical manias that have afflicted our own country, is little likely to embark in similar schemes himself, or to promote them. The man who has studied the evils that irredeemable paper money caused in France in the days of the Revolution, or the evils that the Continental money caused in our own country, will be more apt to form sound views on the subjects of currency and banking than the man who has had no such training. Once more, the man who has studied the calamitous consequences that follow when

governments have left their own proper sphere and have taken possession of the sphere that belongs to private initiative, individual or co-operative, is not likely to be misled by those reformers who are constantly telling us that everything would be well in society if only the government could be brought to do this or that. The school of history is a conservative school, and its lessons are our great defence against cranks, faddists, and demagogues.

2. *Government.*—Politics is both a science and an art. It is the science and the art of government. As a science it investigates the facts and principles of government; as an art it deals with the practical application of these facts and principles to the government of the state.

Now it is manifest that the art of politics, or practical government, directly concerns everybody. Few indeed are the subjects in which men, and particularly men living in great and progressive societies, are so deeply interested as in good government. The government of the state is charged with maintaining public order, securing justice between man and man, and the promotion of the great positive ends of society. For these purposes it collects and expends great revenues, which are ultimately paid from the proceeds of the labor of the people. Furthermore, in republican states, such as the American Union and the forty-four individual States that make up the Union, government is carried on by the people through their representatives chosen at popular elections. The voters of the United States are a great and rapidly growing body. In the presidential election of 1888, as many as 11,388,007 citizens participated; in the presidential election of 1892, the number was 12,077,657—a growth of nearly 700,000 in four years. Moreover, these voters are felt in many other ways and places; they vote for National representatives, for State legislators, executives, and judges, for county, township, and city officers, for the supervisors of roads, and the directors of the public schools. There is not a point in the whole round of National, State, and Local government that the popular will, as expressed at elections, does not touch. Every man is, therefore, directly concerned to understand the nature and operations of these governments, and almost equally concerned to have his neighbors also understand them.

We have been dealing with practical politics exclusively. But the art of government depends upon the science of government. The government of a great country, like our own, at least if a good

one, is a complicated and delicate machine. Such a government is one of the greatest triumphs of the human mind. It is the result of a long process of political experience, and in its elements at least it runs far back into past history. It is, therefore, a most interesting study considered in itself. All this is peculiarly true of our own government, as will be explained hereafter.

However, this complicated and delicate machine is not an end, but only a means or instrument; as a means or instrument it is ordained, as the Declaration of Independence says, to secure to those living under it their rights—such as life, liberty, and the pursuit of happiness; and the extent to which it secures these rights is at once the measure of its character, whether good or bad.

It is also to be observed that a government which is good for one people is not of necessity good for another people. We Americans would not tolerate a government like that of Russia, while the Russians could hardly carry on our government a single year. A good government must first recognize the general facts of human nature, then the special character, needs, habits, and traditions of the people for whom it exists. It roots in the national life and history. It grows out of the national culture. Since government is based on the facts of human nature and human society, it is not a mere creature of accident, chance, or management. In other words, there is such a thing as the science of government or politics. Moreover, to effect and to maintain a good working adjustment between government and a progressive society, is at once an important and difficult matter. This is the work of the practical statesman. And thus we are brought back again to the fact that the science of government is one of the most useful of studies.

Mention has been made of rights, and of the duty of government to maintain them. But rights always imply duties. For example: A may have a right to money that is now in B's possession, but A cannot enjoy this right unless B performs the duty of paying the money over to him. If no duties are performed, no rights will be enjoyed. Again, the possession of rights imposes duties upon him who possesses them. For example: the individual owes duties to the society or the government that protects him in the enjoyment of his rights. Rights and duties cannot be separated. Either implies the other. Accordingly, the practical study of government should include, not only rights, but also duties as

well. The future citizen should learn both lessons; for the man who is unwilling to do his duty has no moral claim upon others to do theirs.

The foregoing remarks are particularly pertinent to a republican government, because under such a government the citizen's measure of rights and so of duties is the largest. Here we must observe the important distinction between civil and political rights. The first relate to civil society, the second to civil government. Life, liberty of person, freedom of movement, ownership of property, use of the highways and public institutions, are civil rights. The suffrage, the right to hold office under the government, and general participation in public affairs are political rights. These two classes of rights do not necessarily exist together; civil rights are sometimes secured where men do not vote, while men sometimes vote where civil rights are not secured; moreover, both kinds of rights may be forfeited by the citizen through his own bad conduct. Evidently political rights are subordinate to civil rights. Men participate in governmental affairs as a means of securing the great ends for which civil society exists. But the great point is this—republican government can be carried on successfully only when the mass of the citizens make their power felt in political affairs; in other words, perform their political duties. To vote in the interest of good government, is an important political duty that the citizen owes to the state. Still other political duties are to give the legally constituted authorities one's moral support, and to serve the body politic when called upon to do so. These duties grow out of the corresponding rights, and to teach them is an essential part of sound education.

It has been remarked that good government rests upon the facts of human nature and society, that such a government is a complicated machine, and that it is an interesting subject of study. It is also to be observed that the successful operation of such a government calls for high intellectual and moral qualities, first on the part of statesmen and public men, and secondly on the part of the citizens themselves. There are examples of an ignorant and corrupt people enjoying measurable prosperity under a wise and good monarch; but there is no example of a democratic or republican state long prospering unless there is a good standard of intelligence and virtue. This is one of the lessons that Washington impressed in his Farewell Address. "In proportion as the struct-