

Order

Americans have traditionally seen the development and maintenance of society as requiring order, which can be defined as:

- The absence of external invasion, civil wars and other internal disputes, significant crime, and unstable governments and social structures; and
- The presence of strong societal norms and individual rules of behavior, including: each individual's responsibility to the community; moral conduct rooted primarily in religious beliefs; a strong work ethic, with each person entering that occupation and doing those tasks to which he or she is best suited; and the imposition of community, church, and family discipline when unacceptable behavior is evidenced.

There are four general types of disorder that are of concern to society and the state:

- Aggression from outside--e.g., King George sending General Howe to Boston Harbor to subdue the populace;
- Internal insurrection—e.g., Shay's Rebellion, the Civil War;
- Physical altercations and crime—e.g., murder, robbery, brawls; and
- Loss of social conventions, norms, and trust.

American colonists were thoroughly familiar with problems caused by the absence of order:

Britain's 17th century—This was almost a century of conflict and butchery, featuring bloody internal wars over religion and power. The most turbulent period in British politics, it was characterized by armed insurrections and the breakdown of social structures and norms under weak and unstable governments. During its Civil War, Britain was tormented by the clash of hostile religious persuasions, political theories, and material interests. State and local politics were dominated by intrigues, plotting, shifting allegiances, and assassinations. The civil chaos and instability influenced every aspect of society and life; one of the period's favorite expressions was *memento mori* (remember that you must die).

The western frontiers of the 13 colonies—Leading up to and following the Revolution, tensions along the leading edges of the American colonies frequently erupted into violent clashes and warfare. Primary sources of the tension were land disputes (the colonists were forcibly displacing Native Americans from their ancestral lands), cultural differences (the colonists saw land primarily as an individual resource, whereas the tribes saw land as a communal resource), resource competition (including fur-bearing animals and access to waterways for trade), and alliances (the British and French sought the support of different tribes, often pitting the tribes against each other and against different European settlers).

Thucydides, in his *History of the Peloponnesian War* (c411 BCE), argued that, "The strong do what they can and the weak suffer what they must. Of the gods we believe, and of men we know, that by a necessary law of their nature, they rule wherever they can."

In this book, *The Prince* (1532), the Italian political realist Machiavelli initiated the end of the ancient and medieval philosophical tradition, which held that only moral virtue can create a good

or just state. He argued that stable rule, not justice, is what truly matters; the primary duty of a ruler or leader is to ensure the stability and order of the state.

In *Leviathan* (1651) the English political philosopher Thomas Hobbes called the situation characterized by social chaos, governmental instability, and state-organized violence (i.e., exactly as he was living through at that time in England) as the *state of nature*. And in this lawless, orderless environment, each person would survive only based on his own strength, industry, and inventions, or the alliances he could forge with others. In the absence of secure alliances, life would see “every man [as] enemy to every [other] man,” with each person facing “continual fear, and danger of violent death, and the life of man [being] solitary, poor, nasty, brutish, and short.”

For John Locke, who was the earliest philosopher espousing liberalism, “The great and chief end, therefore, of men uniting into commonwealths and putting themselves under government, is the preservation of their property.”¹ (*Second Treatise of Government*, 1689)

The Puritans who settled in New England had a distinct view of an “ordered society.” Puritan communities practiced communal discipline to maintain social order. This involved church discipline, which could include excommunication, as well as civil punishments (such as the stocks) for offenses deemed contrary to Puritan values.

To the Founders, knowing of or observing first hand this entire tradition, order was the first requirement of state and society. Nothing else was possible without order. They did not believe that man could be relied on to be good.² As Madison noted (in a bit of dramatic hyperbole), “If men were angels, no government would be necessary.”

As used in the Constitution, the concept of domestic tranquility refers to the overarching goal of establishing an orderly and stable society in which the rights and freedoms of individuals are protected, disputes are resolved through a legal system, and the government works to maintain peace and security within the nation. In furtherance of this, the Constitution provides, for example, for the: peaceful transition of power through democratic elections and the rule of law; and protection of the right to private property, which is essential for individual and economic stability.

For modern American conservatives, order and domestic tranquility also includes preserving:

- Established institutions;
- Inherited morals and social traditions;
- Strong communities; and
- The wisdom of earlier generations as it has been passed down.

They believe that the more norms and the more important the norms are to a society, the better these norms tie and hold together communities and society as a whole.³

¹ Note that, for Locke, the term property encompassed all physical possessions, as well as one’s family, health, and life.

² Of all the Founders, Jefferson probably had the highest opinion of human nature, but he was serving in Europe and was not able to attend the Constitutional Convention.

³ In this, conservatives espouse what is in direct opposition, of course, to what anarchists believe.

