

Cambridge University Press

978-0-521-44653-2 - A Culture of Rights: The Bill of Rights in Philosophy, Politics, and
Law-1791 and 1991

Edited by Michael J. Lacey and Knud Haakonssen

Frontmatter

[More information](#)

WOODROW WILSON CENTER SERIES



A culture of rights

Cambridge University Press

978-0-521-44653-2 - A Culture of Rights: The Bill of Rights in Philosophy, Politics, and Law-1791 and 1991

Edited by Michael J. Lacey and Knud Haakonssen

Frontmatter

[More information](#)

Other books in the series

Michael J. Lacey, editor, *Religion and Twentieth-Century American Intellectual Life*

Michael J. Lacey, editor, *The Truman Presidency*

Joseph Kruzel and Michael H. Haltzel, editors, *Between the Blocs: Problems and Prospects for Europe's Neutral and Nonaligned States*

Walter Reich, editor, *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind*

Mary O. Furner and Barry Supple, editors, *The State and Economic Knowledge: The American and British Experiences*

William C. Brumfield, editor, *Reshaping Russian Architecture: Western Technology, Utopian Dreams*

Mark N. Katz, editor, *The USSR and Marxist Revolutions in the Third World*

Cambridge University Press

978-0-521-44653-2 - A Culture of Rights: The Bill of Rights in Philosophy, Politics, and Law-1791 and 1991

Edited by Michael J. Lacey and Knud Haakonssen

Frontmatter

[More information](#)

*WOODROW WILSON INTERNATIONAL CENTER
FOR SCHOLARS*



BOARD OF TRUSTEES

William J. Baroody, Jr., Chairman; Dwayne O. Andreas, Vice Chairman;
Robert McC. Adams; Lamar Alexander; J. Burchenal Ault; James A. Baker III;
James H. Billington; Lynne V. Cheney; Bruce S. Gelb; Gertrude Himmelfarb;
Eli Jacobs; John S. Reed; William L. Saltonstall; Louis W. Sullivan; John H. Sununu;
Robert H. Tuttle; Don W. Wilson

The Center is the “living memorial” of the United States of America to the nation’s twenty-eighth president, Woodrow Wilson. The U.S. Congress established the Woodrow Wilson Center in 1968 as an international institute for advanced study, “symbolizing and strengthening the fruitful relationship between the world of learning and the world of public affairs.” The Center opened in 1970 under its own presidentially appointed board of trustees.

In all its activities the Woodrow Wilson Center is a nonprofit, nonpartisan organization, supported financially by annual appropriations from the U.S. Congress and contributions from foundations, corporations, and individuals. Conclusions or opinions expressed in Center publications are those of the authors and do not necessarily reflect the views of the Center staff, fellows, trustees, advisory groups, or any individuals or organizations that provide financial support to the Center.

Woodrow Wilson International Center for Scholars
1000 Jefferson Drive, S.W.
Washington, D.C. 20560
(202) 357-2429

Cambridge University Press

978-0-521-44653-2 - A Culture of Rights: The Bill of Rights in Philosophy, Politics, and Law-1791 and 1991

Edited by Michael J. Lacey and Knud Haakonssen

Frontmatter

[More information](#)

A culture of rights

The Bill of Rights in philosophy, politics, and law—1791 and 1991

Edited by
MICHAEL J. LACEY and KNUD HAAKONSSSEN

WOODROW WILSON INTERNATIONAL CENTER
FOR SCHOLARS

AND



CAMBRIDGE
UNIVERSITY PRESS

Cambridge University Press

978-0-521-44653-2 - A Culture of Rights: The Bill of Rights in Philosophy, Politics, and Law-1791 and 1991

Edited by Michael J. Lacey and Knud Haakonssen

Frontmatter

[More information](#)

CAMBRIDGE UNIVERSITY PRESS
Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore,
São Paulo, Delhi, Dubai, Tokyo, Mexico City

Cambridge University Press
The Edinburgh Building, Cambridge CB2 8RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org
Information on this title: www.cambridge.org/9780521446532

© Woodrow Wilson International Center for Scholars 1991

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 1991
First paperback edition 1992

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication data

A Culture of rights: the Bill of Rights in philosophy, politics, and law, 1791 and 1991 / edited by Michael J. Lacey and Knud Haakonssen.

p. cm. – (Woodrow Wilson Center series)

Includes index.

ISBN 0-521-41637-X

1. Civil rights – United States – History. I. Lacey, Michael James. II. Haakonssen, Knud, 1947– . III. Woodrow Wilson International Center for Scholars. IV. Series.

KF4749.C85 1991

342.73'085–dc20

[347.30285] 91-25265

CIP

ISBN 978-0-521-41637-5 Hardback
ISBN 978-0-521-44653-2 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party Internet Web sites referred to in this publication, and does not guarantee that any content on such Web sites is, or will remain, accurate or appropriate. Information regarding prices, travel timetables, and other factual information given in this work are correct at the time of first printing but Cambridge University Press does not guarantee the accuracy of such information thereafter.

Cambridge University Press

978-0-521-44653-2 - A Culture of Rights: The Bill of Rights in Philosophy, Politics, and Law-1791 and 1991

Edited by Michael J. Lacey and Knud Haakonssen

Frontmatter

[More information](#)

Contents



<i>Acknowledgments</i>	<i>page viii</i>
Introduction: History, historicism, and the culture of rights <i>Michael J. Lacey and Knud Haakonssen</i>	1
1 From natural law to the rights of man: a European perspective on American debates <i>Knud Haakonssen</i>	19
2 The Bill of Rights and the American Revolutionary experience <i>James H. Hutson</i>	62
3 Parchment barriers and the politics of rights <i>Jack N. Rakove</i>	98
4 Rights and wrongs: Jefferson, slavery, and philosophical quandaries <i>Charles L. Griswold, Jr.</i>	144
5 Practical philosophy and the Bill of Rights: perspectives on some contemporary issues <i>William A. Galston</i>	215
6 The development of modern American legal theory and the judicial interpretation of the Bill of Rights <i>William W. Fisher III</i>	266
7 The British, the Americans, and rights <i>Alan Ryan</i>	366
<i>Appendix: The Constitution and the Bill of Rights</i>	440
<i>About the authors</i>	461
<i>Index</i>	463

Cambridge University Press

978-0-521-44653-2 - A Culture of Rights: The Bill of Rights in Philosophy, Politics, and Law-1791 and 1991

Edited by Michael J. Lacey and Knud Haakonssen

Frontmatter

[More information](#)

Acknowledgments



This volume is the result of a series of scholarly workshops organized by the Woodrow Wilson Center's Division of United States Studies to commemorate the bicentennial of the Bill of Rights. Thanks are due, first, to the authors whose work appears in the pages that follow, not merely for their scholarly contributions but also for the patience and good humor they showed along the road to publication. The editors also wish to thank the other members of the workshops, whose advice and criticisms were so helpful in discussing the essays as they underwent development: Charles Blitzer, James MacGregor Burns, A. E. Dick Howard, Stephen Conrad, Maeva Marcus, Gordon Wood, John Pocock, Walter Berns, and Mark Tushnet. We also acknowledge our gratitude to the Exxon Education Foundation for its generous support.