REVOLUTIONARIES, ANTIFEDERALISTS, AND FEDERALISTS: COMMENTS ON GORDON WOOD'S UNDERSTANDING OF THE AMERICAN FOUNDING

> Security to the persons and properties of the governed, is so obviously the design and end of civil government, that to attempt a logical proof of it, would be like burning tapers at noonday, to assist the sun in enlightening the world.
>
> John Hancock, 1774

It is Gordon Wood's argument in the *Creation of the American Republic, 1776-1787* that the "common assumptions about history, society, and politics" held by Americans changed between the time of the Declaration of Independence and that of the Constitution.[1] Through what must be described as an impressive review of the writings of the time Wood contends that by 1787 a "fundamental transformation of political culture" had taken place (viii). Between 1776 and 1787 Americans had developed "an entirely new conception of politics, a conception that took them out of an essentially classical and medieval world of political discussion into one that was recognizably modern" (viii). As "an entirely new conception of politics," Wood understands the founding generation to have replaced one set of "common assumptions" about the ends and means of government for another.

More specifically, Wood contends that the Revolutionaries desired to establish democratic regimes dedicated to ends that transcended the particular interests of its citizens—a "Christian Sparta." The Architects of the Constitution rejected that goal. They desired, instead, to establish a government, essentially aristocratic, that would strive to attain not some ideal good but the tangible interests of society composed of distinct classes. The most important changes between 1776 and 1787, therefore, may be stated as two: first, the Revolutionaries adopted (and the Federalists rejected) a conception of politics whose ends "embodied the ideal of the good society as it had been set forth from antiquity;" and second, that with this rejection the Federalists adopt a political order grounded and dependent upon aristocratic means.

1. Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Chapel Hill, 1969). Citations to Wood are hereafter indicated by page numbers appearing in the text.

This review will challenge, in turn, those two conclusions. We will question whether Wood has identified the "common assumptions," from which he marks the "fundamental transformation," correctly. We do not do so lightly, for Wood has researched his topic exhaustively and has presented a vast body of sources to support his argument. Thus, the book seems to rest on the authority of the founding generation itself, so much so that one recent reviewer, Donald S. Lutz, has remarked: "We may argue over what significance to attach to what Wood has found, but it is unlikely that *what* he has found will ever be rejected as fundamentally in error."[2] We believe, however, that upon careful review *"what* he has found" is disputable. We shall argue that Wood's general thesis that a fundamental change in political culture took place between 1776 and 1787 is based upon inadequate understandings of both the thought of the Revolutionaries and the thought of the Federalists and Antifederalists.

THE POLITICAL ASSUMPTIONS OF 1776

I

We have chosen to evaluate Wood's conclusions about the political assumptions made by the American Revolutionaries through a close examination of a single sub-chapter of *The Creation, a* sub-chapter from Part I ("The Ideology of Revolution") entitled "The Public Good." Admittedly, this is a selective review. We believe, however, that the choice of this sub-chapter for a close examination is defensible in that this portion of the work seems critical to Wood's thesis about the meaning of the Revolution. In this sub-chapter, Wood puts forward the strongest evidence for his argument that the core of the political culture of 1776 was classical republicanism. As such, "The Public Good," with its discussion of the Revolutionaries' conception of the ends of government stands as a pivot around which Part I appears to turn. A careful consideration of this sub-chapter, then, should give one a substantive base on which to judge Wood's argument as a whole.'

2. Donald S. Lutz, "Bernard Bailyn, Gordon S. Wood, and Whig Political Theory," *The Political Science Reviewer,* VII Fall, 1977, p. 128 (emphasis in original).

3. For a discussion of the problems in reviewing works like Wood's in which the reviewer is "confronted by avalanche upon avalanche" of information and citations see J.H. Hexter, *On Historians* (Cambridge, Mass: Harvard University Press, 1979) ch. 5, "The Historical Method of Christopher Hill," esp. pp. 229, 230, 241, 242.

Lest the reader becomes lost in a mass of detail, we will precede our analysis of Wood's evidence with a general outline of his thesis in the sub-chapter we have selected on "The Public Good." We shall then present an alternative understanding of the political culture of the Revolution which we believe the evidence will support.

Wood begins the section by stating his theme: "The sacrifice of individual interests to the greater good of the whole formed the essence of republicanism and comprehended for Americans the idealistic goal of the Revolution" (53). Wood is clear in stating what he means by the "greater good of the whole":"This common interest was not, as we might today think of it, simply the sum or consensus of the particular interests that made up the community. It was rather an entity in itself, prior to and distinct from the various private interests of groups and individuals" (58). It is important to note Wood's contention that the public good was "prior to" individual interests. In modern thought the individual interests are prior to and form government. Here the argument is that common good has priority, or that the end of government forms individuals. Indeed, Wood's argument is precisely that the Americans of 1776 were not moved by a modern understanding of politics, but that instead their notion of republicanism "embodied the ideal of the good society as it had been set forth from antiquity through the eighteenth century" (59).

These Americans, Wood tells us, criticized existing governments and especially monarchies because they were found to sacrifice the common good to the private interests of the rulers. The objective of the Revolution was to replace British rule with the rule by the people, because it was believed that the people would work for the common good. The parties which already divided the populace, Wood explains, were caused by the presence of the crown. When the entire government, including upper houses and governors, became "electively dependent upon the people," however, those divisions "would now disappear in the unhindered and engrossing pursuit of only the people's welfare" (57). Wood claims that this belief that the people would unfailingly pursue the common good was based on the assumption that the people were a homogeneous body with a "unitary concern that was the only legitimate object of governmental policy" (58). Thus, Wood contends that the people were to rule because they would look beyond partial and individual interests to "the one supreme moral good to which all parts of the body politic must surrender" (59). The people were not to rule in order to insure the security of their own rights, for, Wood claims, "in the minds of most Whigs in 1776,

individual rights, even the basic civil liberties that we consider so crucial, possessed little of their modern theoretical relevance when set against the will of the people" (63). "Ideally," we are told, "republicanism obliterated the individual" (61).

At one place in the "The Public Good" Wood writes that "No phrase except 'liberty' was invoked more often by the Revolutionaries than 'the public good' " (55). The point that Wood draws from this observation is that the public good—the public good understood as something transcending individual interests—was the end of the revolution. But what of liberty? Why, if the name of liberty was invoked more often than that of the public good, would we not conclude that liberty was the end of the Revolution? Needless to say, the fact that one speaks of the public good does not mean that he understands the public good to be prior to individuals. Instead the public good can be precisely the protection of individual liberties against invasion by any individual or group. The common interest, according to this understanding, is to provide the conditions necessary for individuals to pursue their own interests. It is a common good that is inseparable from particular interests, and it is a theory in which individual rights can never lose relevance.

We present this alternative understanding of the common interest because it represents the view embraced by the public document most associated with the Revolutionary period, the Declaration of Independence. The Declaration speaks of unalienable rights—rights that by definition *cannot* be given up by individuals in the name of some transcendent public good or in the name of anything else. Governments are to be judged legitimate or illegitimate according to whether they protect individuals' life, liberty, and pursuit of happiness, for it is precisely "to secure these rights" that "governments are instituted among men." According to this argument, the sacrifice will yield a more secure enjoyment of individual rights in the long run. By this standard, both the monarchy of George III and Wood's republicanism in which the individual is obliterated must be judged to be illegitimate political forms.

Wood tells us that his project is to understand the general pattern of beliefs and the assumption about politics that lay behind the acts of the Revolutionary generation. It is interesting to note that such was exactly the kind of project that Thomas Jefferson understood himself to have engaged in when he wrote the Declaration. Of that document, Jefferson wrote this:

> Neither aiming at originality of principle or sentiment, nor yet copied from any particular and previous writing, it was intended to be an expression of the American mind....All its authority rests then on the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right....`

Jefferson and Wood, then, set for themselves the same task: to discover the American mind. Although the two are engaged in the same enterprise, however, they reach markedly different conclusions.

Nowhere does Wood attempt to reconcile his opinion of the thought of the Revolutionaries with the Declaration. Indeed, he fails even to acknowledge the difficulty—and given the nature and purpose of the Declaration we believe it to be a quite serious difficulty—that the Declaration presents for his thesis. Surely it is reasonable to expect some mention of the Declaration in a sub-chapter whose purpose it is to make clear the object of government that the Americans were revolting to secure, yet we are presented with no such reference in "The Public Good." Nowhere does Wood explain why he is justified in ignoring the Declaration in his discussion of the ends of the Revolution.' The question thus presented is whether Wood or Jefferson is correct in his understanding of the American mind. In order to answer that question, we turn to a detailed analysis of Wood's evidence.

II

The first three paragraphs of "The Public Good" are devoted to a series of quotations to the effect that the welfare of the people ought to be the end of government. In these paragraphs, Wood apparently wants to establish "the public good" as a notion that formed "the

4. Quoted in John Dewey, ed., *The Living Thoughts of Thomas Jefferson* (New York), p. 42.

5. Much later in *The Creation,* in the context of the debates over ratification of the Constitution, Wood makes two brief allusions to the Declaration. In the first he presents the Federalist argument that "The Constitution was in fact a reassertion of the first principles of Whiggism. The Declaration of Independence has expressed 'the inherent and unalienable right of the people' to form whatever kind of government they wanted" (535). If Wood agrees that the first principles of Whiggism can be found in the Declaration he has not made that agreement manifest. The second reference is to an Antifederalist's recalling that the Declaration set forth the people's right to resistance (538). Although Wood does mention the Declaration elsewhere (but not in the section on the public good), he does not make any serious attempt to interpret its argument about the end of government. See e.g., pp. 12, 45, 132, 133, 288, 356.

central tenet of the Whig faith." These quotations, then, do not define the public good, but merely refer to it. Nonetheless, the men that Wood leads us to consider here do define the public good in passages not quoted by Wood. For example, we are told of Samuel West's statement that the "welfare and safety of the people was 'the supreme law of the state' " (54). When we look to the sermon that Wood quotes we find a modern conception of the public good as the condition for the enjoyment of private rights. West explains that governments exist

> in order that wicked men may be restrained...that the injured may have their rights restored...and that every member of society may be protected and secured in the peaceable, quiet possession and enjoyment of all those liberties and privileges...that is consistent with the public good. This shows the end and design of civil government, cannot be to deprive men of their liberty...but on the contrary the true design of civil government is to protect men in the enjoyment of liberty.'

While West does argue that an individual should be willing to "forgo his private interests for the sake of being beneficial to the publick," that sacrifice is justified because it helps maintain a state friendly to the "unalienable rights that the God of nature has given us.'"

6. Samuel West, *Sermon Preached May 29, 1776,* in John W. Thornton, ed., *The Pulpit of the American Revolution* (New York, 1860), p. 274.

7. Ibid., pp. 297, 304. Also in these first paragraphs Wood refers to Jonathan Boucher, a Tory cleric, as questioning the Whig teaching that the common good was the end of all government (54). Upon investigation of Boucher's sermon, however, we learn that his objection to the Whig doctrine was not concerned with the definition of the common good, but with the notion that government rests upon the consent of the people, a modern natural rights notion that Boucher must have found prevalent in American political thinking else he would not have needed to criticize it. Jonathan Boucher, *A View of the Causes and Consequences of the American Revolution* (London, 1797, p. 512ff.

Wood then quotes preacher Jacob Duche (to whom Boucher was responding) to the effect that the gospel demands that the common good be the end of government. Wood does not tell us what Duche meant by the common good, but a reading of Duche's sermon reveals that for him the righteousness of the colonists' action was grounded in the "hard necessity...of defending ourselves, our just and undoubted rights." Duche charges Americans to fight like Christian soldiers, but they are to fight for "liberty and peace," and for ends consonant with the "free disposal" of "those fruits of honest industry," property. Jacob Duche, *The Duty of Standing Fast in our Liberties, in* Frank Moore, ed., *The Patriot Preachers of the American Revolution, 1750-1776* (New York, 1862), pp. 88, 85, 81.

Wood also cites Josiah Quincy about the danger of the few subverting the common good. Wood does not mention that for Quincy, "The proper object of society and civil institutions is the advancement of 'the greatest happiness of the greatest number.' "

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> Public good is not a term opposed to the good of individuals; on the contrary, it is the good of every individual collected. It is the good of all, because it is the good of everyone: for as the public body is every individual collected, so the public good is the collected good of those individuals.'

Paine's definition of the public good is squarely opposed to Wood's assertion that the "common interest was not...simply the sum or consensus of the particular interests that made up the community" (58).

Having defined the public good, Paine then writes that the promotion of that public good requires the citizens to form a "pledge and compact" with each other to renounce the future exercise of despotism over one another. This compact forms, for Paine, "the foundation of the republic" and "the common cementing principle

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Josiah Quincy, *Observations on the Act of Parliament commonly called the Boston Port Bill* (Boston, 1774), p. 28. See also n. 22, below. As this analysis of Quincy demonstrates, Wood's references in these paragraphs to the Americans' concern that the few not be considered to the destruction of the community as a whole do not illustrate the nature of the good which the community pursues. If the common good is the protection of individual's natural rights it remains necessary to preserve the government, else those rights would be without the protection that government is created to afford.

8. Thomas Paine, *Dissertations on Government,* in Phillip S. Foner, ed., *The Complete Writings of Thomas Paine,* vol. II (New York, 1945), p. 372.

which holds all the parts of a republic together." Paine notes that this compact in which each agrees not to tyrannize over others is, in Pennsylvania, contained in the declaration of rights prefixed to the Pennsylvania constitution, and he quotes that declaration, beginning with this:

> I. That all men are born equally free and independent, and have certain natural, inherent and unalienable rights, amongst which are the enjoying and defending of life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety.'

Paine argues, then, that the public good is protected when each agrees not to violate the natural rights of the rest. This is not surprising, given that the public good is but a collection of the private interests of a community. What is surprising is that Wood should cite Paine as evidence that the Americans of 1776 were living in an "essentially classical and medieval world of political discussion," for Paine's argument that natural rights are the foundation of a republic is thoroughly modern.

Wood continues with the argument that the Whigs embraced republicanism because of their faith that if the people ruled they would act for the public good. Again, this argument fails to tell us what the public good is that popular rule was expected to promote. Forms of government are means to ends; they are not ends in themselves. Wood recognizes this fact when he writes that popular rule was desired because it would reach a specific end—the public good. In fact, Wood correctly states that there was some ambivalence about whether the means would secure the end." He cites Richard Price as to the need for governors and upper houses to make government effective, but continues to say that such offices "must be electively dependent on the people" (57). It is interesting to note that Price

9. *Ibid.,* p. 373. This passage occurs two paragraphs after the sentence that Wood quotes.

10. Wood, pp. 56-57. Wood returns to cite Duche and West here, both of whom, we have seen, have a view of the end of government similar to that expressed in the Declaration. See above, p. 7 and n. 7. Wood also refers to Richard Price's argument that in addition to liberty, governments need wisdom, union, dispatch, secrecy, and vigour. Wood does not mention Price's conviction that governments need these things so that people may attain "the peaceful enjoyment of their rights." Richard Price, *Additional Observations on the Nature and Value of Civil Liberty, and the War with America* (London, 1778), p. 8.

himself denies this last assertion: "In order to form the most perfect constitution of government, there may be the best reasons for joining to such a body of representatives, an Hereditary Council...with a Supreme Executive Magistrate at the head of all."" The Importance of this observation is that it indicates that ends and not means were primary for the Revolutionaries. They did not rebel because Great Britain was a kingship and they wanted popular rule. They did rebel because the kingship of Great Britain was not protecting individual rights and to establish a government that would. Accordingly, the fact that forms of government changed over the years after the Revolution to become less popular need not mean that the ends of government changed, or that Americans came to adopt "an entirely new conception of politics." The fact that governments became less popular need only indicate that experience showed that a particular form was unable to reach the unchanging ends. That governments became less popular, then, means only that Americans found need of a better tool to build the same object.

Wood is correct when he states that the assumption in favor of popular rule was that the people could discern the common good. This assumption, he claims, was based upon the Whig belief that the people were homogeneous, that they shared one interest. Wood now tells us something about that interest. He asserts that it was "prior to and distinct from the various private interests of groups and individuals" (58). Here is the major point of contention, for here Wood begins to describe the content of the public good as something from the classical, as opposed to the modern, world of political thought. Since Wood's public good is clearly different from what Jefferson and Paine called the public good, we must examine Wood's evidence with care.

To establish the priority of the public good over private interests Wood quotes Samuel Adams, who said, paraphrasing Vattel, that the state was " 'a moral person, having an interest and will of its own' " (58). Yet this means only that the state acts as a whole, as a person, in dealing with the other states. It does not tell us how the state organizes itself internally. In order to understand Adams' opinion about this latter point we must look further.

In the paragraph preceeding the one Adams paraphrases, Vattel writes that states are "societies of men who have united together and combined their forces, in order to procure their mutual welfare and security." Moreover, four paragraphs later Vattel writes that "Nations are composed of men who are by nature free and independent,

11. *Ibid.,* pp. 11-12.

and who before the establishment of civil society lived together in a state of nature." [12] For Vattel, then, men contract to form societies, each to secure his own ends, his own welfare and security. The state's job is to provide the conditions for liberty that are absent in the state of nature." Thus the interest of the state follows from and is not prior to the particular interests of individuals. Hence it seems either that Adams quoted Vattel out of context or that Adams' statement does not mean what Wood takes it to mean.

The second of these possibilities becomes the more probable when we consider the context of the phrase which Wood quotes:

> With M. de Vattel, I account a state a moral person, having an interest and will of its own; and I think that state a monster, whose prime mover has an interest and will in direct opposition to its prosperity and security. This position has been so clearly demonstrated in the pamphlet first mentioned in this essay...."

Adams, then, is objecting to rulers ("prime movers" of states) who act for their own interests to the detriment of the legitimate interests of the state. Those legitimate interests lie in providing prosperity and security—the conditions necessary to make possible the enjoyment of individual liberties. That Adams understood the protection of these individual rights to be the end of government is made plain elsewhere in his writings.

> Among the natural rights of the Colonists are these: First, right of life; Secondly, to liberty; Thirdly, to property....
>
> In short it is the greatest absurdity to suppose it in the power of one, or of any number of men at the entering into society, to renounce their essential natural rights, or the means of preserving those rights; when the grand end of civil government...is for the support, protection and defense of those very rights; the principal of which, as before observed, are Life, Liberty, and Property."

12. Emmerich de Vattel, *The Law of Nations,* "Introduction."

13. Later in *The Law of Nations* Vattel writes that "The end of civil society is procuring for the citizens whatever their necessities require, the conveniences and accommodations of life, and, in general, whatever constitutes happiness; with the peaceful possession of property...." Bk. I, ch. 2, sec. 15.

14. Harry A. Cushing, ed., *The Writings of Samuel Adams,* vol. III, (New York, 1904-08), p. 266. Adams' reference to "the pamphlet first mentioned in this essay" as demonstrating the position he maintains is a reference to none other than Thomas Paine's *Common Sense* (p. 261). Certainly that pamphlet contained no appeal to a public good which transcended private interests. To the contrary, Paine's whole project was to argue that the colonies ought to be free because their interests, their dollars and cents interests, were no longer the same as Great Britain's. Adams' use of Paine, then, shows that Adams did not understand the public good to be "prior to and distinct from the various private interests of groups and individuals."

For Samuel Adams, then, the public good does not transcend private interests; to the contrary, government exists to defend private rights.

Wood continues his attempt to establish the priority of the public good over individual interests with the claim that while it was admitted that clashing interests did exist within the community, those differing interests

> were not to be dignified by their incorporation into formal political theory, or into any serious discussion of what ought to be. In light of the assumption that the state was "to be considered as one moral whole" these interests and parties were regarded as aberrations or perversions, indeed signs of sickness in the body politic (58-59).

Wood's quotation from the *Result* of *the Convention* of *Delegates Holden at Ipswich in the County of Essex* that the state was "one moral whole" does not suffice to prove his point, for again he fails to examine that document's discussion of the nature of the moral whole of which it speaks. In fact, the *Essex Result* is an excellent source to be used in an attempt to discover the American mind of the Revolutionary period, for it is the report made by a convention whose purpose was to consider the form of government and constitution for the state of Massachusetts. Accordingly it represents the considered opinion not only of one man, but of a convention of the leading citizens of Massachusetts. Let us examine what those citizens had to say about the "one moral whole" of which Wood speaks:

> When men form themselves into society, and erect a body politic or State, they are considered as one moral whole, which is in possession of the supreme power of the State. This supreme power is composed of the powers of each individual collected together, and *voluntarily* parted with by him. No individual, in this case, parts with his unalienable rights, the supreme power therefore cannot controul them.

And on the following page, this:

> Over the class of unalienable rights, the supreme power hath no controul, and ought to be carefully defined and ascertained in a Bill of Rights, previous to the

15. Samuel Adams, *The Rights of the Colonists,* Report of the Committee of Correspondence to the Boston Town Meeting, November 20, 1772, in *Old South Leaflets,* no. 173 (Boston, 1906), pp. 417-419.

> ratification of any constitution. The bill of rights should also contain the equivalent every man receives, as a consideration for the rights he has surrendered. This equivalent consists principally in the security of his person and property, and is also unassailable by the supreme power: for if the equivalent is taken back, those natural rights which were parted with to purchase it, return to the original proprietor, as nothing is more true, than that *Allegiance and protection are reciprocal."*

The *Essex Result* here makes it unmistakably clear that the individual is prior to the community. Some individual rights are unalienable—under no conditions can they be considered to be renounced by their holder. Other rights are alienable, but the individual, the document states with emphasis, *voluntarily* chooses to give these powers to the state. Why does he choose to do so? Not to achieve some good that is independent of interest, but to obtain security for his person and property. The individual makes a contract with the government: he will give it a clearly defined and limited amount of power that is naturally his, and it in return will provide him with security. As soon as the state stops protecting his person and property—it need not positively infringe upon his unalienable rights, it need only stop providing adequate protection—the individual recovers the powers he gave to the state, and owes that state no more allegiance. Revolution becomes just when the government fails to protect individual rights. Wood's statement that individual interests were not incorporated into formal political theory cannot be reconciled with the source he uses to make that statement. For according to the *Essex Result,* individual rights are the beginning and the end of political theory.

Such an emphasis on the individual and his liberties would indeed foster a community full of "clashing combinations of interests," (58) and the resulting division might even be considered a "sickness." If it was a sickness, however, it was not because individuals were failing to sacrifice their interests in homage to some prior and transcendent public good. Instead the factiousness resulting from an excess of liberty was dangerous because it undermined the very possibility of liberty. According to modern contract theories, governments are created

16. *Result of the Convention of Delegates Holden at Ipswich in the County of Essex...,* in Theophilus Parsons, *Memoir of Theophilus Parsons* (Boston, 1859), pp. 366-67. (Emphasis in original.)

because without the order provided by government individuals' rights are not secure. Thus, as the *Essex Result* makes clear, each individual gives up a portion of his rights to the state so that the state can provide the conditions necessary to the peaceful enjoyment of his remaining (unalienated and sometimes alienable) rights. Some restrictions on freedom, then, must be accepted by men if their most fundamental rights are to be protected. For this reason, excessive liberty leading to violent faction is a sickness that must be avoided. Wood refers us to Jacob Duche to establish that divisiveness is a disease in the body politic (59). Yet in his *Essay Upon Government* Duche makes it clear that factiousness is a disease because it could impair the "Unity and Order" which are necessary means to the attainment of "the chief end" of government, "the security of our Rights and Properties.'

Wood continues his discussion of faction by pointing to the need for disinterested representation: " 'party differences,' however much they may infect society, could never ideally be admitted into the institutions of government, but 'would be dropped at the threshold of the statehouse' " (59). Representatives, then, must be above partial and private interests, and must act always with the public good in view. But the fact that representatives are, or ought to be, disinterested does not mean that the public good they desire is distinct from interest. If the public good is the establishment of the conditions for the enjoyment of private rights, it remains important that representatives seek that public good and not some partial interest whose fulfillment requires the abridgement of others' rights. Wood again refers us to Paine's *Dissertations on Government* in this context, and a close look at that source will make the point. Paine does indeed express his hope that partisan differences "would be dropped at the threshold of the statehouse" in deference to the pursuit of the public good." Yet as we have seen, Paine's definition of the public good directly contradicts Wood's. Paine wrote the *Dissertations on Government* as a defense of the Bank of North America and an indictment of legislative majorities who, by passing paper money laws, had substantially threatened individual property in Pennsylvania. Paine argued that such action by the majority of interested representatives was un-

17. Jacob Duche, *An Essay Upon Government, Adopted by the Americans, Wherein, the Lawfulness of Revolutions, are Demonstrated in a Chain of Consequences from the Fundamental Principles of Society* (Philadelphia, 1775), pp. 37-38.

18. Paine, *Dissertations on Government,* p. 409.

just because it violated individual rights. Thus Paine's call for disinterested representatives emanated not from a vision "fed by both millennial Christianity and pagan classicism" (60), as Wood would have us believe, but from a modern natural rights conception of the end of government.

Wood also misleads when he claims that

> the contracts, balancing mechanisms, and individual rights so much talked of in 1776 were generally regarded as defenses designed to protect a united people against their rulers and not as devices intended to set off parts of the people against the majority (60).

Paine's argument about rights does set off a part of the people against the majority, a tyrannical ruling majority. Hence it was all men's rights, and not majority rule, which was of fundamental importance to Paine.19

According to Wood's understanding of the thought of the Revolutionaries, individual claims based upon natural rights could not be asserted against the community. Even liberty, that word that was used more often than "the public good," was not something that could be invoked in the face of the good of the whole:

> For the republican patriots of 1776 the commonweal was all-encompassing—a transcendent object with a unique moral worth that made partial considerations fade into insignificance (61).

Wood goes so far at to contend that "Ideally, republicanism obliterated the individual" (61). In support of this assertion Wood turns to a statement by Benjamin Rush that "Every man in a republic is public property. His time and talents—his youth—his manhood—his old age—nay more, life, all belong to his country" (61). Indeed, here the individual seems, perhaps not obliterated, but certainly insignificant. But let us look at the premises behind Rush's

19. The potential that majority rule could be unjust is also shown through an analysis of Levi Hart, whom Wood quotes to say that in a republic "each individual gives up all private interest that is not consistent with the general good, the interest of the whole body" (60-61). Yet in the same work from which Wood quotes, Hart discusses the issue of slavery and finds it to be illegitimate regardless of the majority's opinion on the matter. This is because he saw the slave trade as "a flagrant violation of the law of nature," and a deprivation of the "natural rights of mankind." Levi Hart, *Liberty Described and Recommended* (Hartford, 1775), p. 16. Again, natural rights are fundamental, and the general good is seen to be the protection of those rights.

statement:

> I am extremely sorry to find a passion for retirement so universal among the patriots and heroes of the war. They resemble skillful mariners who, after exerting themselves to keep a ship from sinking in a storm...drop asleep as soon as the waves subside and leave the care of their *lives and property,* during the remainder of the voyage to sailors without knowledge or experience. Every man in a republic is public property...."

No, the individual is not obliterated. Rush implores men to be active in political affairs because their own private interests, their lives and property, are at stake. Self-sacrifice is necessary not for its own sake, but for the sake of a community which exists to serve private interests.

Wood recognizes that the Whigs did speak often of liberty and of rights, and he now makes an attempt to explain that fact in terms of his interpretation of their view of the public good. "Individual liberty and the public good were easily reconcilable," Wood writes, "because the important liberty in the Whig ideology was public or political liberty" (61). The emphasis in 1776, he continues, was not on private rights, but upon "the public rights of the collective people against the supposed privileged interests of their rulers" (61). But Wood goes on to explain that an emphasis on private rights was not necessary since it was believed that when rule had been wrested from the king and put into the hands of the people there would be no conflict between the wishes of the rulers and rights of the ruled. Because it could be assumed that the people " 'were never interested to injure themselves' ...there could be no real sense of conflict between public and personal liberty" (61).

Wood is correct in saying that the colonists believed private rights would be secure under popular rule. That fact certainly does not mean that private rights were not to be the end of a popular government, nor does it mean that public liberty took superiority over private rights. All it need mean is that the Whigs expected public liberty to issue in the protection of private rights. The decisive question for the purpose of understanding the relationship of individual liberties to the

20. Dagobert D. Runes, ed., *The Selected Writings of Benjamin Rush* (New York, 1947), p. 31. (Emphasis added.) Wood also cites Samuel Adams saying that a citizen "owes everything to the Commonwealth." This statement too fails to compel the conclusion that the individual is obliterated. Indeed, according to the modern natural rights teaching, men are able to exercise their natural rights only in the state of civil society, the state of nature being fraught with violence. Because the individual is incapable of securing his rights without civil society, then, it may truly be said that he "owes everything to the commonwealth."

public good is if a conflict between public liberty and private rights were to appear, how would the Whigs have resolved it. Wood leads us to believe that the Whigs would have sacrificed individual rights. An examination of Wood's own citations, however, reveals that for the Americans of 1776 private liberties were superior to public.

Wood quotes Nathaniel Whitaker who says that "Civil liberty" is "the freedom of bodies politic, or States" (61). Inspection of the passages from which this quotation comes, however, reveals that Whitaker did not give the public fundamental priority over the private. Citing John Locke in this sermon, Whitaker offers a modern natural rights formulation of the natural law, the state of nature, and the need for civil society. From this basis Whitaker argues that the Revolution is just because the British, in violation of the law of nature, have "robbed men of their most dear and unalienable rights." In what follows Whitaker gives examples of British tyranny, and the examples he chooses concern the deprivation of private property. When Whitaker seeks to justify the Revolution, then he points not to the limits on political freedom, but to the violation of private liberties.[21]

Another of Wood's sources makes clear that the connection between public and private liberty, between representative government and the individual rights, is of means to end. Wood tells us of Josiah Quincy's confidence that popular rule would not endanger personal liberty. Indeed, Quincy favored representative government because he thought it "necessary to the preservation of private property and personal security" and argued against British rule because a legislature "a thousand leagues distant" could not protect property or personal safety.[22] Political freedom, then, is an instrument with which the rights of life and property are secured. Political liberty was not, as Wood implies, of primary importance to the Whigs; it was important only as a means to the more important individual liberties."

21. Nathaniel Whitaker, *An Antidote Against Torryism* (Newburyport, *1777),* pp. 11, 24, 25, 28.

22. Quincy, p. 32.

23. The fact that most assumed an easy compatability between popular rule and private rights does not mean that "a tyranny by the people was theoretically inconceivable," as Wood suggests (62), but only that such a tyranny was considered, as a practical matter, to be highly improbable. Democritus' *Loose Thoughts on Government,* to which Wood refers us, raises the issue of the soundness of the Whig assumption that popular rule would always guarantee individual liberty. Democritus notes the possibility that the House of Representatives could become "dangerous to the safety of the State 'or arbitrary' " through an "overgrown popularity." Democritus, *Loose Thoughts on Government,* in *American Archives,* vol. VI, pp. 730-32. See also no. 19 above.

Wood, then, confuses a practical calculation in favor of majority rule with a theoretical belief that private rights were insignificant in the face of majority rule. Because of this confusion he can write that "in the minds of most Whigs in 1776 individual rights...possessed little of their modern theoretical relevance when set against the will of the people"(63).[24] To the contrary, we have seen that the Americans supported popular rule precisely because they believed it to be a form of government that would protect individual rights. Wood, however, points to the severe restrictions placed upon private interests and rights during the Revolutionary period, and argues that his hypothesis accounts for these restrictions. Accordingly, he claims, seditious libels against the colonial representatives could legitimately be strictly punished (63) and the economy could be controlled, thereby jeopardizing the rights of property (64).

But the fact that rights were infringed upon does not alone substantiate Wood's point. We need to know why the rights were abridged. Wood's quotations establish that individual rights were restricted in the name of the public interest, but again, do not discuss the nature of that interest. In fact to account for these restrictions we are not required to depart from the understanding of the public good held by Thomas Jefferson and Thomas Paine as well as by Jacob Duche, Samuel Adams, Samuel West, Benjamin Rush, Nathaniel Whitaker, Josiah Quincy and others discussed herein.

These restrictions on individual rights are explained by the argument that some liberties need to be restricted at least temporarily in order to secure the existence of a government which would protect individual rights in the long run. More specifically, with regard to the punishment of libelous speech against the assembly, we must recall that the Whigs expected popular assemblies to be the source of security for their rights. To protect the integrity and thus the authority of such assemblies, then, was to protect one's rights. This interpretation is verified in an essay by the Carolinian to which Wood refers. In that essay the restraints on speech are justified by the argument that through Congress the nation's "dearest rights" were to be defended "from the curse of Oppression." The Carolinian argues for tolerance

24. To support this assertion Wood notes a passage in Duche's *Essay Upon Government:* "Whatever rights those Laws give any private person, or persons, they are naturally suppos'd to be granted only so far, as they are consisting with the security of the Public" (63). Yet as we have noted (p. 14), "the Public" for Duche has as its end the preservation of individual rights and properties. Duche's point seems to be that government may alienate rights only if such measures are necessary to secure the conditions for the enjoyment of those very rights.

except when the speech in question is directed against "my *Property,* my *liberty,* my *life,* and the *life of my Posterity!*'" The concern for unalienable rights, not a concern for a public good which transcends those rights, was behind the restrictions placed upon free speech.

This conclusion is supported by another of Wood's sources, David Ramsay, whom Wood quotes saying that the public and quasi-public bodies which restricted private liberties during the Revolution did so in order to preserve the commonwealth. However, Ramsay explains that these quasi-public bodies were created because the colonists feared "for their liberties." Ramsay writes that the people in the back country saw no need for these committees since they "felt themselves secure in their persons and property." And when they were finally persuaded to accept these new committees it was only by a rhetoric which speculated on the future consequences for their lives and properties if the British should win the war.[26] Once again we find the Americans agreeing to the temporary restriction of their rights only because prudence suggested that step in order that those rights might not be lost altogether.

III

Our conclusion is that Wood has failed to restate accurately the political assumptions that were behind the actions of the Americans of 1776. We have arrived at this conclusion after an analysis of the sources Wood himself employs in his attempt to establish his hypothesis that the Revolutionaries were moved by a classical and Christian view of the public good. What the evidence in fact demonstrates is that the Whigs were moved by a distinctly modern view of the public good—that to achieve the public good was to establish the conditions necessary for the enjoyment of private rights. In order to reach this conclusion it is necessary to understand some basic arguments: that one can speak of a "public good" without envisioning a good which has priority over individual rights; that forms of government are means to ends, and not ends in themselves; and that prudent men realize that individual rights sometimes must be restricted in order to maintain a civil society wherein individual rights can be respected.

25. Charleston, South Carolina, *Gazette,* Dec. 19. 1774.

26. David Ramsay, *The History of the Revolution of South Carolina* (Trenton, New Jersey, 1785), vol. I, p. 253.

We believe the evidence compels the conclusion that the Revolutionaries of 1776 were not acting in the name of the public good separated from individual interests, but that they were acting precisely in the name of individual rights, as Jefferson argues in the Declaration.

1776 AND THE ANTIFEDERALISTS

Recall Wood's argument that between 1776 and 1787 a fundamental change in political culture took place and that during that period the Americans moved from an essentially classical and medieval world of political discourse into a modern one. Wood argues that his change in political assumptions can be seen in the debates over the ratification of the Constitution. To the Antifederalists, Wood tells us, "the Constitution represented a repudiation of everything that the Americans had fought for. They could not have made a more severe *or more accurate* condemnation of the new government than to charge that it `departed widely from the principles and political faith of '76' " (523).[27] In fine, it is clear that for Wood the Antifederalists defended and the Federalists challenged the political axioms of 1776.

It is, of course, true that Antifederalists sometimes charged that the Federalists were undermining the goals of the Revolution. But it is not true to say that the Antifederalists thought the goal of the Revolution had been to erect a government that would seek a public interest separate from individual interests. This point is made well by Thomas Tredwell whom Wood quotes as an exponent of the Antifederalist charge that the Federalists "departed widely from the principles and political faith of 1776." When Tredwell made that charge (in the New York ratifying convention) he justified it with this argument:

> Here we find no security for the rights of individuals, no security for the existence of our state governments; here is no bill of rights, no proper restriction of power; our lives, our property, and our consciences, are left wholly at the mercy of the legislature...."

This belief that the protection of individual liberties is the purpose of government was shared by virtually all Antifederalists, and their criticisms of the Constitution were in most cases arguments that it

27. Emphasis added.

28. Jonathan Elliot, *Debates on the Adoption of the Federal Constitution,* II, p. 401.

would fail to secure those personal liberties. Mercy Warren, for example, wrote that "The rights of individuals ought to be the primary object of all government, and cannot be too securely guarded by the most explicit declarations in their favor.""

Warren's statement reminds us, of course, that the most widely known legacy bequeathed by the Antifederalists was the impetus they gave to amending the Constitution with a bill of rights. Their desire to limit government and preserve such rights as liberty of conscience and liberty of the press reveals a political persuasion hardly reconcilable with a political way of life capsulized by the term "Christian-Sparta." By making explicit the lines beyond which government could not legitimately pass the Antifederalists reasoned that the arena for individual pursuits would rest more securely. This obvious concern for rights—not duties—makes it unlikely that they were the partisans of a tradition which in its normal practice subordinated the individual to the body politic.30

The Antifederalists examined and judged the Constitution upon thoroughly modern grounds. That is to say, the Antifederalists accepted as an axiom the primacy of individual liberty. Accordingly, Patrick Henry could say during the debate

> all men are by nature free and independent, and have certain inherent rights, of which, when they enter into society, they cannot by any compact deprive or divest their posterity."

Hence, the issue for the Antifederalists in the ratification debate did not turn upon the Constitution's rejection of the classical-medieval

29. [Mercy Warren], "Observations on the new Constitution, and on the Federal and State Conventions by a Columbian Patriot," Paul Leicester Ford, ed., *Pamphlets on the Constitution of the United States, p.* 13.

30. Elliott, III p. 137. See p. 62: "The most valuable end of government is the liberty of the inhabitants," and pp. 21, 22, 44, 45, 53, 167, 594. On the widespread agreement that individual liberty was the end of government see Cecelia M. Kenyon, *The Antifederalists* (New York: The Bobbs-Merrill Company, Inc., 1966), p. xxvii. See Also Herbert J. Storing, "What the Antifederalists were *For,"* in *The Complete Antifederalist* (Chicago, The University of Chicago Press, in press), sec. 1. Storing notes that he had turned to the study of the Antifederalists with the thought that they possibly defended a classical conception of politics and of the common good. Yet Storing reports that he found this notion of the public good "strikingly absent from the Anti-Federalist thought. The Anti-Federalists are liberals—reluctant and traditional, indeed—in the decisive sense that they see the end of government as the security of individual liberty, not the promotion of virtue or the fostering of some organic common good," n. 61.

31. Elliott, III, p. 137 (italics deleted).

conception of the common good. [32] Rather, the issue was whether the Constitution was a better mechanism for establishing the thoroughly modern goals of the Revolution. As George Clinton explained to the people of New York:

> The freedom, equality and independence which you enjoyed by nature, induced you to consent to a political power. The same principles led you to examine the errors and vices of a British superintendence, to divest :yourselves of it, and to reassume a new political shape. It is acknowledged that there are defects in this, and another is tendered to you for acceptance; the great question then, that arises on this new political principle, is, whether it will answer the ends for which it is said to be offered to you, and for which all men engage in political society, to wit, the preservation of their lives, liberties, and estates."

THE FEDERALISTS AND THE ANTIFEDERALISTS

I

By now it should be clear that Wood has misread the underlying political principles of the Revolutionaries and those of the Antifederalists. Their principles were thoroughly modern. As such, Wood's argument that with the Constitution America developed "an entirely new conception of politics, a conception that took them out of an essentially classical and medieval world of political discussion into one that was recognizably modern" (viii) must be wrong. Yet the fact that Wood has misconceived the character of the principles themselves does not in and of itself reach his other major contention that between 1776 and 1787 there was a "fundamental transformation of political culture." The possibility still exists that despite his misreading of the Revolution Wood is correct in his claim that the Federalists' han-

32. The closest the Antifederalists came to adopting a less than modern conception of politics is found in their use of the traditional "small republic" argument to defend the primacy of the states as the governing bodies. The advantages, they claimed, to be gained by the smaller territory of the states were that the people's attachment to their government, their control over government, and their capacity to be formed by that government would be greater than in the proposed extended republic. In these advantages there are perhaps echoes of classical republicanism. Yet the fact remains that they were subordinate to and vitiated by the modern end for which the states, as sovereignties, existed: "to these they look up for the security of their lives, liberties and properties." Luther Martin, Max Farrand, ed., *The Records of the Federal Convention of 1787* (4 vols., New Haven: Yale University Press, 1937), vol. I pp. 340-341.

33. George Clinton, "The Letters of Cato," in Paul Leicester Ford, ed., *Essays on the Constitution of the United States,* p. 255. For additional examples of the Antifederalists modern political premises see Mercy Warren, "Observations," p. 6, and Richard Henry Lee, "Letters of a Federal Farmer," in Ford, *Pamphlets,* p. 290-291.

diwork, the Constitution, is a rejection of the goals of the Revolution—whatever they may be.

To be specific, Wood argues that the state constitutions that arose in the wake of the Revolution impelled a flood of "new men" into the governing circles of the day (476). The democratic excesses that followed fueled in turn an aristocratic reaction on the part of the Federalists. Their solution to the "turbulence and follies of democracy" (474) was to replace the states as governing bodies with a new national government and to place control of that new government in the hands of only a few men. [34] Wood argues, then, that "The Constitution was intrinsically an aristocratic document designed to check the democratic tendencies of the period" (513), and that the "quarrel" between the Federalists and the Antifederalists was primarily social:

> Both the proponents and opponents of the Constitution focused throughout the debates on an essential point of political sociology that ultimately must be used to distinguish a Federalist from an Antifederalist. The quarrel was fundamentally one between aristocracy and democracy. (484-5)

The Federalists' "repudiation of 1776" seems to lie, for Wood, in their desire to recognize interests and talents divergent from that of the majority. While the Antifederalists were attempting to preserve a community of equals the Federalists, according to Wood, were attempting to establish a government which promoted, preserved and was itself dependent upon hierarchical distinctions found in society.

II

Whether or not the Federalists thought they were establishing an aristocratic system, it is clear to any reader of Antifederalist literature that many Antifederalists charged them with proposing such a system." There was on the part of the Antifederalists a genuine fear of aristocracy. Yet having said that, it still remains to be seen what the Antifederalists might have meant when they spoke of aristocracy. Un-

34. "Since the Federalists presumed that only such a self-conscious elite could transcend the many narrow and contradictory interests inevitable in any society, however small, the measure of a good government became its capacity for insuring the predominance of these kinds of natural leaders." (492). "[I]n short, all of what the Federalists wanted out of the new central government seemed in the final analysis dependent upon the prerequisite maintenance of aristicratic politics." (492).

35. See Kenyon, p. XLIX; Main, p. 130; and Storing, sec. 6.

fortunately, Wood's analysis on this point is not helpful. In his attempt to pull together so much under one roof Wood obscures, for instance, the distinction to be drawn from their writings between government by *the* aristocracy and government by *an* aristocracy. Those who were concerned about government by *the* aristocracy were afraid that a particular pre-existing social class would dominate the government. Those whose concern was with *an* aristocracy were not concerned primarily that a particular social class would dominate, but that whoever gained government office could use it to pursue his (not his class's) private interest at the expense of the public. This second group used the word "aristocracy" loosely to mean only government by the few—any few. They believed the Constitution gave the governmental officials the ability to keep power once they got it and to use that power to ride roughshod over the people's rights. Thus, for these Antifederalists the word "aristocracy" became virtually synonymous with the words "despotism" and "tyranny." Wood seems to assume that the Antifederalists who spoke of aristocracy were speaking of a particular social class, when in fact many did not have classes in mind at all, but only a government which they believed to be too powerful. In amassing his evidence Wood in fact buries a valuable distinction to be mined from those very sources.

We can do no better to illustrate this point than to quote from Wood's own sources. To exemplify the antifederal concern with the Federalists' attempt to restore the "elitist influence in politics that social developments, especially since the Revolution, were undermining" (513), Wood quotes part of Mercy Warren's charge that the Constitution "is dangerously adapted to the purposes of an immediate *aristocratic tyranny;* that from the difficulty, if not impracticability of its operation, must soon terminate in the most *uncontrouled despotism."*[36] Inspection of Warren's argument, however, leads us to see that she was not expressing a fear of a particular social class. To support her charge Warren cites the Constitution's lack of annual elections, its lack of a bill of rights, its lack of provision forbidding a standing army, its lack of compulsory rotation, and so on. Her objection is not primarily that the members of some aristocracy will control the government, but that whoever should be elected will be able to become tyrannical. Indeed, she argues that the lack of compulsory rotation will result in "the exclusion of men of the best abilities from their share in the offices of government.73'

36. Warren, "Observations," p. 6 (Warren's emphasis).
37. Ibid., pp. 9-12.

In the same paragraph in which he quotes Warren, Wood quotes William Goudy's statement that the Constitution "will lead to an aristocratical government, and establish tyranny over us." Goudy's comment in the North Carolina convention was made with reference to a specific clause of the Constitution, that which allows the Congress to regulate the "times, places, and manners" of choosing representatives (Article I, section 4). Goudy's concern, one often expressed by Antifederalists, was that the Congress would use this power effectively to disenfrancise the people and, thus, to render members of Congress immune from defeat at the polls." Goudy's fear was simply of the government's power; it was not tied to any social class's holding that power.

Antifederalists, then, argued that the members of the government were simply given too much power. They argued that the tenures of government officials were too lengthy to promote responsibility." They argued that indefinite re-eligibility might result in the President and members of Congress holding their offices for life." As mentioned above, they argued that Congress' power to regulate the times, places, and manners of elections would be misused." Noting the fact that the Constitution does not require one representative for every thirty thousand inhabitants but only that there not be more than one for every thirty thousand, they argued that Congress would reduce or at least fail to increase the number of representatives so that each would retain proportionately more power." The Antifederalists were afraid that these and other provisions of the Constitution would serve not so much to give power to a pre-existing social aristocracy, but to create an aristoracy—an aristocracy made up of government officials.

Unlike the objection that the social aristocracy would have control of the government, these objections to the powers of the new national government were reflected in the amendments proposed by the New York, Virginia, North Carolina, Massachusetts, and New Hampshire conventions. Each asked that the Constitution be changed to restrict Congress' power to regulate the times, places and manners of elec-

38. Elliot, IV, p. 56 and context.

39. For example, Heath (Mass.) in Elliot, II, p. 13; Lansing (N.Y.) in Elliot, II, p. 293; "Agrippa," in Ford, *Essays*, p. 119; and "Cato" in Ford, *Essays*, p. 273.

40. For example, Mason (Va.) in Elliot, III, p. 485; Lincoln (N.C.) in Elliot, IV, p. 313; "Dissent of the Minority" in McMaster and Stone, p. 468; and Kenyon, p. lxxxiii.

41. For example, "Cato," p. 276; "Agrippa," p. 105; and Kenyon, p. lxvi.

42. For example, McMaster and Stone, p. 473; Smith (N.Y.) in Elliot, II, p. 249; Lansing (N.Y.) in Elliot, II, p. 272; and Henry (Va.) in Elliot, III p. 46.

tions. Each asked- that the Constitution be changed to compel Congress to allot one representative for every thirty thousand inhabitants. Further, the New York, North Carolina, and Virginia conventions asked that the number of consecutive terms a man could serve as President be limited. The point, then, is that many of the Antifederalists who argued that the Constitution would end in aristocracy were not making the social argument Wood assumes they were making. They were not afraid that one class would use the government to dominate the others. They were afraid that the few in government would use their powers to threaten the interests of all.

It would be misleading, however, to suggest that none of the Antifederalists were concerned with the possibility of an aristocracy outside of the government coming to dominate the new polity. Indeed, some of the brightest Antifederalist lights, including Richard Henry Lee, Patrick Henry, and especially Melancton Smith, did argue that under the Constitution it was likely that rule by the aristocratic class would set in. Melancton Smith explained in the New York ratifying convention that "Every society naturally divides itself into classes" and that, as a result, "In every society" the aristocracy

> will command a superior degree of respect; and if the government is so constituted as to admit but few to exercise the powers of it, it will, according to the natural course of things, be in their minds. Men in the middling class, who are qualified as representatives, will not be so anxious to be chosen as those of the

The argument, then, was that the House and the Senate were so small that only members of the social aristocracy would be elected to serve in them. The Constitution, for instance, allowed at most only one representative for the lower assembly for each thirty thousand inhabitants. In such large districts, it was argued, only a few men could be well enough known, could develop the requisite associations, and could be united enough in their interests to secure election." In the Virginia convention Patrick Henry argued that with elections occuring in large districts "the people will not be acquainted with the candidates," and so "A common man must ask a man of influence how he is to proceed, and for whom he must vote."" and caring only for aristocratic interests. "I have no idea," wrote Richard Henry Lee, "[how] the interests, feelings, and opinions of three or four millions

43. Elliot, II, p. 246.
44. Ibid.
45. Elliot, III p. 322.

of people...can be collected in such a house.""

Statements, such as Lee's, indicate that there is some truth to Wood's depiction of the Antifederalists as concerned about the possibility of a socially based aristocracy gaining control under the new government. However, it was not the only tune they sang nor was it perhaps a central refrain.

III

Yet based upon his review of the ratification debate Wood believes that this antifederal concern did accurately key on what he terms the federalist persuasion. The accuracy of his reading of that debate and, in particular, of the Federalists' arguments is, however, not beyond dispute. The following inspection of a few of his citations suggest why.

In his account of the Federal Constitution Wood titles the first subchapter, "The Federalist Revolution." As the title indicates, Wood suggests that the spirit behind the Constitution was not the spirit of 1776, and to help substantiate this claim Wood quotes from a letter written by George Mason at the Constitutional Convention.:

> Those earlier ventures, [i.e., The Revolution and creation of the state governments], said George Mason..."were nothing compared to the great business now before us," mainly because Americans were now without the former enthusiasm for liberty "which inspired and supported the mind." (472)

Wood suggests by his editing of Mason's remarks that Mason believed that the events at Philadelphia were not animated by the liberal sentiments of the Revolution. The implication is of course that the members of the Convention were less than liberal. However, upon inspection of the full text of Mason's letter one finds that Mason is not contrasting the liberal sentiments of the Revolution to the supposedly illiberal sentiments of the Convention, as Wood suggests, but rather that Mason is contrasting the spiritedness of the past with the reflective character of the present:

46. Ford, *Pamphlets,* p. 295. There were others who asserted that government under the Constitution would be controlled by the well-born or natural aristocrats, but few, except for Smith, Henry, and Lee, seem to have explained fully how such a conclusion might be justified. See, for example, "Philadelphiensis" in Kenyon, p. 71; George Mason in Elliot, III, p. 266; "Dissent of the Minority," in McMaster and Stone, eds., *Pennsylvania and the Federal Constitution,* p. 471; and "Centinel," in McMaster and Stone, p. 627.

> The revolt from Great Britain and the formations of our new governments at that time were nothing compared to the great business now before us; there was then a certain degree of enthusiasm, which inspired and supported the mind; but to view, through the calm, sedate medium of reason the influence which the establishment now proposed may have upon the happiness or misery of millions yet unborn, is an object of such magnitude, as absorbs, and in a manner suspends the operations of the human understanding....

Mason's discussion is not a discussion of liberty at all. Wood imports to Mason's letter a political assessment that is foreign to it.'

In the same paragraph Wood seeks to buttress his contention that the Constitution represents an aristocratic reaction to the democratic tendencies of the Revolution with a letter written by James Madison in February of 1787:

> This was indeed a more desperate revolution, bred from despair and from a sense of impending failure of the earlier revolution; for, as Madison put it, "men of reflection" were "much less sanguine as to the new than despondent as to the present System." (472)

Wood follows this snippet from Mason's letter by saying, "Only the profoundest disillusionment with the great hopes of the Revolution of 1776 could have led someone like Madison to make the extraordinary kinds of proposals he made" at the Convention. With this statement Wood attempts to drive another wedge between the Revolution and the Constitution by showing Madison, the man often referred to as the father of the Constitution, as having "the profoundest disillusionment with the great hopes of the Revolution." Madison's letter, however, reveals no such despair. It is true that he regards the Articles of Confederation as a lost cause which "neither has nor deserves advocates." Yet he does not equate the Confederation's failure to a deficiency in the goals of the Revoluion; neither does he exhibit a hope that the upcoming Convention will stem the tide of the Revolutionary ideology. Indeed, quite the opposite:

47. In this letter to his son, Mason does note that before he reached Philadelphia he had feared that excesses caused by "the democratic principles of our government" might lead to too extreme a reform on the part of the Convention. He goes on to say, however, that while there still is "some danger" of this happening, he is reassured that such will not occur since he found "in the convention, many men of fine republican principles." It is also worth noting that prior to these comments Mason mentions that the Virginia Plan has been submitted to the Convention for consideration. Unlike Wood, Mason nowhere suggests that this plan signals a "disillusion" with the Revolution. See text below.

> I hope the danger [caused by the inadequacies of the "present System"] will rouse all the real friends to the Revolution to exert themselves in favor of such, an organization of the Confederacy, as will perpetuate the Union, and redeem the honor of the Republican name."

It appears, then, that the proposals Madison made for the new government were generated not by a profound disillusion with the ends of the Revolution but by a genuine affection for those ends.

In the sub-chapter which follows Wood again quotes Madison. He uses Madison to confirm his contention that the Constitution was an aristocratic document designed to prevent the ascendency of the questionable characters who, in the aftermath of the Revolution and its egalitarian ethos, appeared to dominate the then governing bodies, the States:

> Since "every new election in the States," as Madison pointed out in *The Federalist,* Number 62, "is found to change one half of the representatives," the newly enlarged state legislatures were being filled and yearly refilled with different faces, often with "men without reading, experience, or principle." (477)

Wood presents Madison as suggesting that the state governments were inadequate because they promoted those least capable to the high offices. The implication Wood wishes to draw is that Madison favored a political system that insured the ascendency of the most preeminent men." Yet, an inspection of the citation indicates that for two reasons such a conclusion cannot properly be drawn. The first reason is that in the sentence just quoted Wood has edited together statements from two entirely distinct sources. In fact, the phrase "men without reading, experience, or principle" is not even Madison's. [50] This point might not be particularly telling except for the second reason, which is that Madison's discussion in *Federalist #62* points away from the conclusion Wood seeks to reach. Madison's account of the mutability of the state assemblies is keyed not to the fact that less than desirable men are brought into office, but to the size of those bodies and the duration for which their members hold their seats. That is, Madison's point is that the state legislatures are *institutionally* unstable political bodies.' Madison's defense of the Senate in the sixty-second

48. Madison to Pendleton, Feb. 24, 1787, in Hunt, ed., *Writings of Madison,* II, p. 318.

49. See note 34, above.

50. The Phrase is from a letter written by Samuel Johnston. See Wood, 477, n. 8.

51. "The mutability in the public councils, arising from a rapid succession of new members, *however qualified they may be,* points out in the strongest manner, the necessity of some stable institution in the government. Every new election in the states, is found to change one half of the representatives." *Federalist* # 62. (Emphasis added.)

Federalist is singularly distinctive precisely because no mention is made of the kinds of men who will occupy its seats.52

Although admittedly limited in scope, the above investigation does cast doubt upon the adequacy of Wood's account. Upon scrutiny Wood's own material suggests that the Federalist desire to erect a new national government was not seen as a "fundamental" abandonment of the ends of the Revolution and that they were not depending upon the inclusion of the socially prominent to insure the government's working. Despite the evidence from his own sources, Wood still argues that it was only because of the Federalist assumption that aristocrats would rule that the Federalists could support the Constitution:

> The new Constitution was structurally no different from the constitutions of some of the states. Yet the powers of the new central government were not as threatening as the powers of the state governments precisely because the Federalists believed different kinds of persons would hold them. They anticipated that somehow the new government would be staffed largely by "the worthy," the natural social aristocracy of the country. (507-8)

Yet, on its face, this claim is dubious. Afterall, the Constitution makes the appointment of the holders of all offices dependent upon the people, either directly or indirectly; and it establishes no property qualifications for holding office. The simple fact is that there is in the Constitution nothing likely to secure in any real sense "a high-toned

52. Limitations of space prevent a full accounting of Wood's use of citations found in Part Five, "The Federal Constitution." We will, however, examine one additional quotation, a pertinent one since Wood uses it for the title of Chapter Twelve, one of only two chapters in Part Five. The quotation is from John Dickinson's *Letters of Fabius,* Number Five. Wood uses it to end the First sub-chapter in Part Five: "The supporters of the new federal Constitution thus aimed to succeed where the states, not the Confederation, had failed in protecting, in John Dickinson's phrase, 'the worthy against the licentious.' " In and of itself, Wood's statement is not incorrect. However, to use Dickinson's phrase as the title for a chapter whose argument is that the "Constitution was intrinsically an aristocratic document designed to check the democratic tendencies of the period" is to ask it to carry a weight it cannot bear. Dickinson's letter nowhere suggests that his categories refer to members of a social or political sect; rather, Dickinson's "worthy" are citizens whom he describes as law-abiding men:

> As government is intended for the happiness of the people, the protection of the worthy against those of contrary characters, is calculated to promote the end of legitimate government, that is the general welfare; for *the government will partake of the qualities of those whose authority is prevalent.* If it be asked, who are the worthy, we may be informed by a heathen poet-
>
> *"Vir bonus est quis?*
> *"Qui consults patrum, qui leges juraque servat."*

government filled with better sorts of people." (562)"

Moreover, it is doubtful that there existed in the United States the class structure which would have had to be present for such an aristocratic system to be created. This point was made well in the Constitutional Convention by Charles Pinkney. Pinkney argued that in the United States there was no "distinct class of citizens" that might perform the same function performed by the British House of Lords. Instead, Pinkney argued, there was and would continue to be in the United States "a greater equality than was to be found among the people of any other country." That equality, he continued to say, would issue in the consequence that "Every member of the Society almost, will enjoy an equal power of arriving at the Supreme offices and consequently of directing the strength and sentiments of the whole community.""

Because rigid class distinctions were missing the authors of the Constitution were faced not with the problem of how to mix the different orders of society into government but of how to fashion men for the different branches of government out of an insufficiently differentiated people. Therefore, because the people were not already divided into separable orders and thereby moved by different principles, if the different institutions of government were to be truly distinct then the members of those institutions would have to be *given* "different prin-

53. It is remarkable that just as his discussion of the revolutionary era ignores the Declaration of Independence (see note 5 above), Wood's examination of the political culture of '87 gives scant attention to the premier political document of this period, the Constitution. If the Declaration of 1776 marked the beginning of the American nation, the Constitution of 1787 was surely the culmination of a decade-long effort to give that nation an enduring political form, in effect to secure the creation of the American republic. Yet Wood's *Creation* provides not sustained examination of the content of the Constitution nor of the contemporaneous commentary explaining and defending it. This points to a problem in Wood's volume deeper than merely the accuracy of his interpretation of the writings of the founding period. It suggests that Wood's encycolpedic historical method overwhelms and obscures the difficult question of the relative weight that should be given to those things he has chosen to review. The "supermarket" approach to history where everything and anything is put on the shelf does little justice to those goods most worth consuming.

54. Farrand, I, pp. 398-99. Later in the same speech Pinkney speaks of the existence in America of "three classes," but they in no way correspond to a division between aristocrats and democrats. Instead the three classes are the professional men, the commercial men, and the landed interest. The landed interest, for example, includes both "owners and cultivators" of the soil, i.e., both rich and poor. Moreover, Pinkney argues that these three "classes" are in a state of mutual dependence and in fact have a single political interest. Thus, he again concludes, in the United States there is "but one great and equal body of citizens," p. 403.

55. Federalist # 51.

ciples of action"" by the Constitution itself. The Constitution did not attempt to bring specific social elements into specific institutions of government; it sought to promote different perspectives among institutions staffed by people cut from the same social cloth." These different perspectives or different principles of action were created by the manipulating features of the several institutions: tenure, size, and mode of appointment. As we discovered in our discussion of *Federalist # 62,* Madison's expectation was that these institutional features would lead the members of the Senate to be disposed to provide a stability and thoughtfulness to the government's measures that was less likely to be provided by the House."

Perhaps the source which shows most clearly that the Federalists' trust in the Constitution did not center in a belief that only "the worthy" would hold national office is *Federalist # 51.* Far from betraying a conviction that government would succeed or fail depending upon the class of people controlling it, Madison argues that "the preservation of liberty" does not depend upon the superior qualities of government officials, but upon the low but dependable ground of interest. The dangerous effects of ambition are controlled not by the disinterestedness of an elite capable of rising above such motives, but by others' ambitions. By connecting the "interest of the man...with the constitutional rights of the place" the authors of the Constitution contrived a method of assuring that the members of each branch would have the "personal motives" necessary "to resist encroachments" of the other branches." Wood's contention that the Federalists believed that "Only if the respected and worthy lent their natural intellectual abilities and their natural social influence to political authority could governmental order be maintained" (508) cannot stand beside the fifty-first *Federalist.* It was not intellectual ability or social influence that Madison counted upon to maintain governmental order; it was ambition, personal motives, and private

56. Noah Webster, *An Examination into the Leading Principles of the Federal Constitution, in Ford, Pamphlets,* pp. 34-35. See also, Democratic Federalist, Philadelphia *Independent Gazetteer,* 26 Nov. 1787.

57. To see how far the architects of the Constitution had moved away from forming offices whose effectiveness depended upon the rule of "gentlemen" compare Morris' proposals for the Senate (Farrand, I, 512) with *Federalist* # 62 and Franklin's proposals for the presidency (Farrand, I, 81) with *Federalist* # 72. The extent to which Madison, for one, was willing to concede the primacy of the institutional principle is seen by the following: "In all very numerous assemblies, of whatever characters composed, passion never fails to wrest the sceptre from reason. Had every Athenian citizen been a Socrates; every Athenian assembly would still have been a mob." *The Federalist, Number 55.* See also Madison's reply to Dickinson (Farrand, I, 151.).

58.Federalist # 51.

interests. The Federalist formula for orderly government did not consist primarily in a sanguine attempt to put the aristocrat into office; it consisted in "a policy of supplying, by opposite and rival interest, the defect of better motives" so that "the private interest of every individual may be a sentinel over the public rights.'59

Wood's propensity to see an aristocrat behind every institutional bush is also extended to the most famous federalist contrivance, the extended republic. Discounting Madison's claim that the extended territorial sphere provided the nation with "a republican remedy for the diseases most incident to republican government," Wood argues that in *Federalist # 10,* Madison presents an aristocratic remedy for those diseases :6°

> The *peculiar* advantage of the new expanded national republic lay..."in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and to schemes of injustice." (505)"

Madison's account in *Federalist # 10* reveals nothing to Wood as much as the usual Federalist "social bias." "Beneath his sophisticated analysis of American society and politics," Wood concludes, "Madison grounded the success of the new Constitution on a common assumption about the social character of the federal government that lay at the heart of the Federalist program" (506).

Does a careful reading of *Federalist # 10* support such an interpretation? Is the "peculiar" benefit of the extended republic really its capacity to create a government peopled by members of a social

59. Ibid. Wood does not ignore Madison's account in *Federalist 51.* Yet he concludes his discussion of it with the following: "The impulses and passions would so counteract each other, so neutralize their potencies...that reason adhering in the natural aristocracy would be able to assert itself and dominate" (605-606). There is nothing in *Federalist* # 51 to support this conclusion. Why some aristocracy, natural or otherwise, would be able to dominate in such a system is nowhere explained. To the contrary, it is precisely because "Enlightened statesmen will not always be at the helm" *(Federalist* # 10) that the various "inventions of prudence" discussed in *Federalist* # 51 are needed.

60. Wood dismisses statements like that of Madison's as being "decidedly disingenious." According to Wood, the Federalists "appropriated and exploited" the popular rhetoric of their opponents. He charges the Federalists with creating a "hiatus in American politics between ideology and motives that was never closed again." If, however, we are successful in showing that the Federalists were not in fact closet aristocrats then Wood's charge is misdirected. Perhaps such a charge would more aptly fit historians who continue to adopt Beard-like conclusions (p. 626) and who, in turn, foster a "hiatus" of legitimacy between the declarations of 1776 and the constitution of 1787.

61. Emphasis added. Wood's quotation is from *Federalist* # 10.

aristocracy? Wood's conclusion seems to be of doubtful validity if for no other reason than that Madison makes no mention of the point Wood emphasizes in the other places (the Constitutional Convention, a letter writter to Jefferson after the Convention, and *Federalist # 51)* in which he argues the increased stability and justice of the extended republic.[62] Of course, the more substantive reason for contesting Wood's thesis is that it totally disregards Madison's account of the effects an extended republic could be expected to have on the social fabric of the nation. Madison's pluralist commercial society is, and is designed to be, an unlikely arena for generating a system of representation favoring the members of an aristocratic order. This is because Madison's hope was to keep American society from dividing itself into the few and the many. In fact, given that the Constitution preserves neither the practice of entail nor the practice of primogeniture and that its "first object" is the protection of "faculties of acquiring property" from which "the possession of different degrees and kinds of property immediately results," it is improbable that a distinguishable aristocratic order could be preserved." In extending the republic's sphere Madison intended to create a society whose "distinct parties and interests" would cut across traditional social links. In the paragraph preceeding the one from which Wood quotes, Madison explains that "it is this circumstance *principally* which renders factious combinations less to be dreaded" in the large republic than in the small." As Martin Diamond has written, "Madison's whole scheme essentially comes down to this. The struggle of classes is to be replaced

62. Farrand, I, p. 134; letter to Jefferson, 24 Oct. 1787; *Federalist* # 51. Wood, however, implies that Madison makes the argument concerning representation in the letter to Jefferson. He does this by placing the following within his account of Madison's discussion of the extended republic: "But Madison did not want to be misunderstood. 'I mean not by these remarks,' he warned Jefferson, 'to insinuate that an esprit de corps will not exist in the national Government.' " But Wood's use of Madison is misleading. It is misleading because Madison is here referring to the problems which might be connected to the distinctive federal makeup of the new national government. Madison's statement is unconnected to his discussion of the extended sphere.

63. "Make laws...destroying and barring entailments; leave real estates to revolve from hand to hand...and no family influenced can be acquired...thus the balance of wealth and power will continue where it is, in the *body of the people...* [T]he inequalities introduced by commerce, are too fluctuating to endanger government. An equality of property, with a necessity of alienation, constantly operating to destroy combinations of powerful families, is the very *soul of a republic."* Noah Webster, *Examination,* p. 59. See also Alexis de Tocqueville, *Democracy in America,* Part I, Chapter 3, and our discussions of Pinkney, note 52, above.

64. Federalist # 10. (Emphasis added.)

by a struggle of interests."[65] Over the din made by a nation full of entrepreneurs the refined voice of the gentleman would hardly be heard.

To question Wood's argument about the "peculiar advantage," or, to use Madison's word, the principal advantage, of the extended republic, however, is not to deny that Madison hoped that his scheme might have some effect on the kinds of representatives elected. Our point is that such an effect was not primary, and, moreover, that what was primary—the division of society into many different interests so as to avoid the formation of traditional class conflict—makes it unlikely that representatives would, be or would see themselves as, members of a distinct social class of aristocrats. At best, the extended republic would "refine and enlarge" the views of the representative as he confronted the many interests in his large and diverse electoral district, but Madison did not count upon, he did not "ground the success of the new Constitution" upon, this effect.

CONCLUSION

The Constitution does indeed represent an attempt by the Federalists to control the excesses of democracy experienced in the states after the Revolution. However, neither the Constitution's principal controls—a system of checks and balances and the extended sphere of the republic—nor its auxiliary control—representation—was truly aristocratic. The authors of the Constitution were not primarily concerned with creating either an aristocracy or a democracy. Their primary concern, as the chief architect of the Constitution explained to the author of the Declaration of Independence, was

> to modify the sovereighty as that it may be sufficiently *neutral* between different parts of the Society to controul one part from invading the rights of another, and at the same time sufficiently *controuled* itself, from setting up an interest adverse to that of the entire society."

With society "neutral" and government "controuled" neither aristocrat nor democrat could possibly rule, and the rights of all *equally* would, as a consequence, be safe from invasion.

The Federalists, then, acted to secure individual rights. The Antifederalists, we have seen, fought to secure individual rights. In the words of the Antifederalist "Agrippa,"

65. Martin Diamond, "The Federalist," *American Political Thought,* eds. Morton J. Frisch and Richard G. Stevens (N.Y.: Scribner, 1971), p. 67.

66. Madison to Jefferson, 24 Oct. 1787. (Emphasis added.)

> All the defenders of [the Constitution] undertake to prove that the rights of the states and the citizens are kept safe. The opposers of it agree that they will receive the least burdensome system which shall defend those rights.
>
> Both parties therefore found their arguments on the idea that these rights ought to be held sacred."

The argument between the Federalists and Antifederalists was not over "an essential point of political sociology." The question was not over which class should rule. In fact, the disagreement, while serious, was not fundamental. Herbert Storing has written that

> If the Federalists and Anti-Federalists were divided among themselves they were, at a deeper level, united with one another. Their disagreements were not based on different premises about the nature of man or the ends of political life. They were not the deep cleavages of contending regimes. They were the much less sharp and clear-cut differences within the family, as it were, of men agreed that the purpose of government is the regulation and thereby the protection of individual rights and that the best instrument for this purpose is some form of limited, republican government."

While they disagreed over the means, then, the Americans of 1787 agreed on the end of government. They agreed with the Americans of 1776 that government exists to secure the rights of the governed. There was no "fundamental change in political culture" between 1776 and 1787.

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67. Ford, *Essays,* pp. 61-62.
68. Storing, "What the Anti-Federalists were *For,"* sec. 1.