EXTENDED NOTES FOR TOWARD DEMOCRACY

Note to Readers

The following notes, prepared with the help of Abigail Modaff of Harvard University, contain fuller documentation for James T. Kloppenberg, Toward Democracy: The Struggle for Self-Rule in European and American Thought, published by Oxford University Press in June, 2016. Page references within these notes refer to the print version of the book. As is indicated on p. 711 of that edition, many of the notes in this document contain a greater range of references and commentary than are available in the book. Readers will, however, find that a few of the notes that are followed by an asterisk in the print version do not differ from the notes in this document; those asterisks will be removed, and typographical errors corrected, in later printings of Toward Democracy.

Introduction

1. See the UNESCO report edited by Richard McKeon, Democracy in a World of Tensions (Chicago, 1951), 522. Influential assessments of the universality of democracy at the turn of the twenty-first century include Amartya Sen, “Democracy as a Universal Value,” Journal of Democracy 10 (1999): 3–17; and the widely circulated report by Freedom House, Democracy’s Century: A Survey of Political Change in the Twentieth Century (New York, 1999), which reported that the number of democratic nations had mushroomed from a mere handful in 1900 to over 60 percent by the end of the century. Although those nations contained less than 40 percent of the world’s population, the report confidently predicted that the further expansion of democracy, now praised if not
yet practiced everywhere, was only a matter of time. In Sen’s formulation, the intrinsic, instrumental, and constructive value of democracy transcends cultural differences, which renders it the standard worldwide.

2. The revolution in historical scholarship in the 1960s was actually a return to an earlier historical practice, as Ellen Fitzpatrick made clear in *History’s Memory: Writing America’s Past, 1880–1980* (Cambridge, MA, 2002). For illustrations of the ways in which social history has transformed historical scholarship, see Eric Foner and Lisa McGirr, eds., *American History Now* (Philadelphia, 2011); and for the developments in social theory that have returned social historians’ interest to questions of meaning and value, see William H. Sewell, Jr., *Logics of History: Social Theory and Social Transformation* (Chicago, 2005).

3. Whenever possible I have cited widely available editions of these thinkers’ writings. For American writers, I have usually cited volumes in the series published by the Library of America. When those editions are unavailable, I have usually cited standard scholarly editions of writers’ complete works. When I quote from texts with multiple English translations, such as the writings of Montaigne, Rousseau, and Tocqueville, the notes indicate the rendering that I prefer. Readers should note that I have sometimes slightly altered translations when I think different word choices more accurately convey the author’s meaning.


5. The same features of contemporary scholarship that make this book necessary have made it difficult to write. There is simply too much to know. Scholarship is proliferating too
fast for anyone to keep up, and the waves of resources becoming available electronically mean that the materials available to anyone connected to the internet will soon be almost unlimited. Of course, earlier scholars felt that they faced a similar challenge, but the scale of the problem has grown in the twenty-first century with the digitization of texts. That is why we need books of the sort that professional historians are understandably reluctant to write, books that encompass multiple cultures and multiple centuries. This awareness too is hardly new. In 1867 John Stuart Mill, one of the central figures in this study, said in an address at the University of St. Andrews that “every department of knowledge” has become “so laden with details” that anyone “who endeavors to know it with minute accuracy” is forced to “confine himself to a smaller and smaller portion of the whole extent.” Things had gotten even worse by 1918, when Max Weber observed that scholarship “has entered a stage of specialization unknown in the past” and predicted that it will “remain forever so.” If Mill and Weber were right a century and a century and a half ago, the situation has become even more serious now. John Stuart Mill, “Inaugural Address at the University of St. Andrews,” in Mill, Essays on Literature and Society, ed. Jerome B. Schneewind (New York, 1965), 361. Max Weber, “Science as a Vocation,” originally delivered as a lecture at the University of Munich in 1918, is reprinted in Max Weber, Gesammelte Aufsätze zur Soziologie und Sozialpolitik (Tübingen, 1958); the essay is most easily accessible to English readers in From Max Weber: Essays in Sociology, ed. and trans. C. Wright Mills and Hans Gerth (New York, 1946), 129-56. See also Daniel Lord Smail, “History and the Telescoping of Time: A Disciplinary Forum,” French Historical Studies 34, no. 1 (2011): 1–5. Smail observes that historians in the twenty-first century, as a result of the “inflationary spiral of research overproduction,” are
in danger of being confined to the study of smaller and smaller topics because of the demands of expertise. That pressure also militates against trying to connect the past to the present, a danger threatening all historians concerned with the relation between the topics they study and their own day. See also Jo Guldi and David Armitage, *The History Manifesto* (Cambridge, 2014); and Brad Gregory, *The Unintended Reformation: How a Religious Revolution Secularized Society* (Cambridge, MA, 2012). For the ways in which earlier generations of scholars coped with their version of this problem, see Ann Blair, *Too Much to Know: Managing Scholarly Information before the Modern Age* (New Haven, 2010).


10. Finding ways to bridge that gap has been a major objective for champions of democracy precisely because both the ideal of deliberation and the awareness that language is slippery have always played a central role in democratic discourse. Recent additions to the voluminous literature on deliberative democracy include Jane Mansbridge et al., “The Place of Self-Interest and the Role of Power in Deliberative Democracy,” Journal of

11. The vocabularies of contemporary Anglo-American philosophy, behaviorist social science, and evolutionary psychology have made it difficult for us to understand the meanings that our ancestors imputed to words such as autonomy and equality, liberty and justice. Many scholars since the late twentieth century have assumed that such concepts, as well as notions of ethical duty and salvation, are smokescreens obscuring the real motive of all human actions: self-interest. That assumption has led to the increasingly cynical unmasking of all claims to virtue, and it has prevented us from understanding or taking seriously the very different cultures that preceded our own. Historians need to recover the richness and complexity of eras incomprehensible in terms of our own flattened cultural lexicon, a world in which individuals took seriously not only their own personal aspirations but also the obligations that bound them to other people and, perhaps most importantly, to their God. See, for example, Carles Boix, Democracy and Redistribution (Cambridge, 2003); and Daron Acemoglu and James C. Robinson, Economic Origins of Dictatorship and Democracy (Cambridge, 2006). For a fine overview of social scientists’ attempts to discover universal laws governing democratization, which ranges from the pioneering work of Barrington Moore and Charles Tilly to more recent efforts, see Daniel Ziblatt, “How Did Europe Democratize?” World Politics 58 (January 2006): 311–38.

12. Our own standard analytical distinctions are unhelpful: the concept of a unitary liberal tradition in America is too flat and too static; the concept of statist traditions in Europe is similarly unnuanced. Likewise, concerns with individual rights on the one hand and
social justice on the other, often counterposed as American and European obsessions respectively, are simplifications that distort historical reality. On both sides of the Atlantic such concepts were seldom considered mutually exclusive or incommensurable, but instead were seen as inextricably linked. See James T. Kloppenberg, “Requiescat in Pacem: The Liberal Tradition of Louis Hartz,” in The American Liberal Tradition Reconsidered: The Contested Legacy of Louis Hartz, ed. Mark Hulliung (Lawrence, KS, 2010), 90–124.

13. In addition to avoiding familiar scholarly categories, this analysis rejects the assumptions beneath the Whig and the anti-Whig views common in much contemporary historical writing. The Whig interpretation of history treats change as a progressive process culminating in our current success. By contrast, I see the history of democracy less as a story of triumph or progress toward a definite telos than as a story of struggles with persistent obstacles, a story of some successes along with repeated failures. A hundred years ago—and more than a century after the American and French Revolutions—fewer than a third of the populations of the United States, Great Britain, France, and Germany could vote for their representatives in national legislatures. Women in these nations did not earn the vote until after World War I. Blacks and foreign workers in the North Atlantic world were routinely denied the privileges of citizenship until very recently. Even winning the formal right to participate in public life has rarely given socially disadvantaged groups effective leverage. Although the principle of popular sovereignty and practices of democratic government were formally established in the United States and much of Western Europe by the end of the nineteenth century, the struggle to realize the ideals of autonomy and equality continues today. Yet the opposite of Whiggish
smugness about progress is no better. Anti-Whig perspectives descending from Marx, Freud, Foucault, or Jeremiah can only offer visions of stasis, or of devolution from historical or imagined Edenic conditions located in primitive, pre-industrial, or otherwise non-modern-western utopias, that likewise skew our understanding.

14. One of the merits of recent poststructuralist criticism is the emphasis placed on the unstable meanings and the strategic significance of language and the often surprising twists texts take as they are disseminated to readers in multiple forms. But those insights can be carried too far: the awareness of instability need not make historical interpretation impossible, nor must it culminate in the cynical belief that ulterior motives render all statements of principle suspect and make “unmasking” our paramount objective. See Kloppenberg, “Thinking Historically: A Manifesto of Pragmatic Hermeneutics”; and James T. Kloppenberg, “Objectivity and Historicism: A Century of American Historical Writing,” *American Historical Review* 94 (1989): 1011–30.


17. It is both ahistorical and inaccurate to assume that the power of religion has always been arrayed against or with the power of the people. In the eighteenth century, perhaps only the Anglo-American radical Thomas Paine and the French revolutionary Maximilien Robespierre spoke with as much enthusiasm for democracy as did the future Pope Pius VII, who preached in 1797 that democratic government is consistent with the message of the Christian Gospel. See R. R. Palmer, *The Age of the Democratic Revolution: A Political History of Europe and America*, vol. 1, *The Challenge* (Princeton, 1959), 13–20.


19. The traditions of democratic discourse examined in this book are among the most complex and important parts of our cultural inheritance. Though I do not presume to offer a definitive judgment of their significance, I hope my interpretation of them enlivens discussion about the meanings of democracy and thereby helps to sharpen our understanding, not only of how the present has developed from the past, but of what
democracy should be in the future. Just as the ideals examined here emerged over time from conflicts among those with different convictions and different objectives, so our own ideals will continue to change in accordance with our own experience. If history provides valuable evidence with which to inform our ethical and political deliberations in an era marked by diversity and instability, as many contemporary philosophers contend, then it will remain one of the most important resources for democratic cultures.

I share the view of contemporary philosophers and cultural critics that we can no longer hope to find in reason or truth a bedrock on which to build a stable body of knowledge. In the natural sciences as in the human sciences, everything we know is provisional and subject to revision in light of new evidence. If all we have in the twenty-first century are the traditions we have inherited, we should at least try our best to understand them as well as we can. On this phenomenological approach to ideas, which originated with thinkers such as Wilhelm Dilthey, Max Weber, William James, and John Dewey, see James T. Kloppenberg, *Uncertain Victory: Social Democracy and Progressivism in European and American Thought, 1870–1920* (New York, 1986); James T. Kloppenberg, “Democracy and Disenchantment: From Weber and Dewey to Habermas and Rorty,” in James T. Kloppenberg, *The Virtues of Liberalism* (New York, 1998), 82–99; William H. Sewell, Jr., *Logics of History: Social Theory and Social Transformation* (Chicago, 2005); Dipesh Chakrabarty, * Provincializing Europe: Postcolonial Thought and Historical Difference, 2nd ed.* (2000; Princeton, 2008); Rogers M. Smith, “Ideas and the Spiral of Politics: The Place of American Political Thought in American Political Development,” *American Political Thought* 3 (Spring 2014): 126–36; and Samuel Moyn, “Imaginary Intellectual History,” in *Rethinking Modern European Intellectual History*, ed. 
Chapter 1

1. It was not uncommon, Montaigne observed, to see soldiers “hack and cut off other men’s limbs” and “sharpen their wits for the invention of unusual tortures and new forms of death” without any particular hatred or hope of gain. Instead innocent victims were slaughtered “for the sole purpose of enjoying the pleasing spectacle afforded by the pitiful gestures and motions, the lamentable groans and cries, of a man dying in anguish.” Surely, Montaigne concluded, such behavior represented “the extreme limit to which cruelty can attain.” Michel de Montaigne, “On Cruelty,” in Essays, trans. J. M. Cohen (London, 1958), 186; also in Montaigne, The Complete Works, ed. and trans. Donald M. Frame (New York, 1943), 383; hereafter cited as CW. On Montaigne see Felicity Green, Montaigne and the Life of Freedom (Cambridge, 2012). The standard biography in English is Donald M. Frame, Montaigne: A Biography (New York, 1965). See also David Lewis Schaefer, The Political Philosophy of Montaigne (Ithaca, 1990); David Quint, Montaigne and the Quality of Mercy: Ethical and Political Themes in the “Essais” (Princeton, 1998); and the still-rewarding essay by Ralph Waldo Emerson, “Montaigne; or, the Skeptic,” in the series Representative Men, in Emerson, Essays and Lectures, ed. Joel Porte (New York, 1983), 690–709.


4. Because of Montaigne’s scandalous judgments, his books were confiscated by a papal censor on a trip to Rome in 1581. Even though he was known to oppose Protestantism and repeatedly urged obedience to Catholic authorities, Montaigne was forced to apologize for his errors in an audience at the Vatican. A century after his medal was

5. After listing various exotic practices said to be common in the new world, Montaigne concluded that there is evidently no behavior so strange “that custom has not planted and established it by law in the regions where she saw fit to do so.” Montaigne, “Of Cannibals,” in *Essays*, 105–19, and *CW*, 182–93; Montaigne, “Of Custom,” in *CW*, 93–108.


7. Montaigne, *Essays*, 355; *CW*, 1002. There is a fine discussion of this point in Schaefer, *The Political Philosophy of Montaigne*, 115–50, although I disagree with the conclusions he draws.


9. I am indebted to the brilliant analysis of these themes in Quint, *Montaigne and the Quality of Mercy*, 102–44; for Montaigne’s letter to Henry, see *CW*, 1332–4.

10. Many of Montaigne’s fellow aristocrats relished the turmoil of religious warfare. Chaos afforded the opportunity to consolidate their power in their own domains, whatever their size, at the expense of a weakened monarch. Many of them built walls to protect their towns; some based their choice of religion on calculations of power rather than conviction. Montaigne reasoned that submission motivated by fear—such as that shown by the earlier Mayor of Bordeaux—indicated weakness, whereas freely chosen obedience confirmed independence. As he put it when explaining his own response to the soldiers’ mutiny and the reasons why it succeeded, “to submit and entrust oneself to others is an
excellent way to win their heart and will.” But the submission must be done, Montaigne insisted, “freely and without the constraints of any necessity,” and the situation must “be such that we bring to it a pure and clean trust,” the outward sign of which would be “a countenance free of any misgiving.” Montaigne, “By Diverse Means We Arrive at the Same End,” in CW, 3–6.


20. As was true of self-designated democracies from the ancient world through the end of the nineteenth century, the exclusion of women and the presence of slaves seemed to male Athenians so unproblematic as to be unremarkable. As a result, estimating their numbers is impossible, but every Athenian citizen probably owned at least one slave. Athenians took for granted both the legitimacy of imperial conquest and its fruits. Citizens were free to participate in the assembly and the law courts only because of the income generated by


29. “Among all men, then, there is a natural impulse towards this kind of association; and the first man to construct a state deserves credit for conferring very great benefits. For as man is the best of all animals when he has reached his full development, so he is worst of all when divorced from law and justice.” Unfortunately, Aristotle concluded glumly, his ideal “middle constitution has never occurred anywhere, or only seldom and sporadically,” precisely because the conditions had never been right for it, and he gave no guidance about how it could be instituted. Aristotle, Politics 1296a7; see also Aristotle, Nicomachean Ethics 10.8–9. Maria Mavroudi of the University of California pointed out to me that all of our understandings of Aristotle are shaped by the sources available to us. Our sense of the meaning of “democracy,” for example, varies according to whether the translation of Politics comes from an Arabic or a Greek text.


32. Aristotle, Politics 1725b, 1279a.

33. Aristotle, Politics 1317a40.

34. Aristotle, Politics 1317b17.

35. In short, “the inevitable result is this most valuable of principles in a constitution: ruling by respectable men of blameless conduct, and without detriment to the populace at large.” Aristotle, Politics 1318b6.

36. Aristotle rejected most of Plato’s ideas, just as his own student Alexander the Great seems to have ignored most of Aristotle’s teachings about moderation, yet Aristotle did agree with Socrates and Plato that philosophers should aim to discern universal norms from the particularities of experience. Although a wide range of political systems exists,

37. Aristotle’s aspiration toward moderation, however, stood in dynamic tension with the spirit of open-ended inquiry and public argumentation that emerged in Greek democracy, the spirit apparent in the historical writing of Thucydides. From that dynamic relation emerged the pathbreaking achievements of Greek culture in mathematics, science, logic, and literature, all of which manifested a commitment to public discourse, critical analysis, and reasoned debate rather than the blind observance of inherited traditions or customs. Demosthenes, *Against Boeotus* 1.39.10–11; Thucydides, *History of the Peloponnesian War* 2.65.1–11, trans. Rex Warner (New York, 1972); and on Isocrates, *Antidosis*, see Yun Lee Too and David C. Mirhady, trans., *Isocrates I* (Austin, 2000); and Darius W. Weil, “Cultured Nobility and the Ideal of the Stately Elm: The Debate on Classical Education in 19th-Century America” (unpub. senior thesis, Harvard University, Fall 2009).

38. Thucydides, *The Peloponnesian War* 5.89.


41. By his own reckoning, Cicero aimed primarily to translate classical Greek ideas into Latin. He addressed a range of issues in his many speeches and in his writings on political and philosophical subjects, notably in *De re publica* (*On the Republic*); *De legibus* (*On the Laws*), which he left unfinished; and the ethical treatise he addressed to his son, *De officis* (*On Duties*).

42. In contrast to Polybius, who argued for balancing aristocracy and democracy in the ideal constitution, Cicero’s model followed the practice of Rome’s republic: he advocated limiting the people’s role to electing public-spirited individuals to the assembly. Whereas agrarian reformers following the lead of the Gracchi persuaded many in Cicero’s day of the need for economic redistribution, Cicero resisted. Such measures, he reasoned, advanced the particular interests of some Romans—the poor—rather than the general interest of the public as a whole. Whereas the Greek city-states relied on sortition to ensure widespread popular participation in civic affairs, the limited role of the people in Rome’s republic ensured government by its elite. Cicero believed the people deserved, and enjoyed, the liberty to choose their representatives and approve wars and laws. Cicero, *On Laws* 1.15.43; *On Duties* 1.10.31; *On the Republic* 1.53–54.

44. A recent introduction to the life and writings of Hillel is Joseph Telushkin, *Hillel: If Not Now, When?* (New York, 2010).


50. Thessalonians 5:19–21.


52. Following that fateful step, the communities that had originally embraced outsiders, included women, slaves, and foreigners, and experimented with diverse forms of ritual and organization began to focus on doctrine more than practice, and on hierarchy rather than the equality of all believers. When the Emperor Constantine declared religious freedom in 313, Christians rejoiced. When Christianity became the official state religion of the empire under his sons, the faith had changed in less than a century from a persecuted cult of oppressed outsiders to a state dogma. In that success lay failure. When
Christianity became an accessory to the authority of the emperor, wealthy Romans began to share their wealth, but through a newly ambitious Catholic hierarchy and its institutions. Although some of that wealth made its way to the needy, much of it enriched and empowered the church. Many Christians abandoned the ideal of equality and began marching down the same path that Roman culture was taking toward corruption and dissolution. See Peter Brown, *Through the Eye of a Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West* (Princeton, 2012).


63. Gregory the Great quoted in Küng, *The Catholic Church*, 65. The distinction between “descending” and “ascending” models is usually associated with the scholarship of Walter Ullman. Although often challenged as overly schematic, it remains useful if seen as an ideal type and understood in terms of an ongoing struggle rather than as a hinge between early and late medieval thought. For a classic statement of the distinction, see Walter Ullman, *A History of Political Thought* (Baltimore, 1965).


67. Dante lectured the soul of Pope Nicholas III—”thou hast deserved thy doom”—for the sin of simony and condemned his corrupt and scheming successor Boniface VIII for raping the Church, the bride of Christ. Critics continued to level similar charges against the practices of the Church, which was ruled by a series of popes of monumental venality and incompetence. As rival popes excommunicated each other, married off their bastard children in regal pomp, and maneuvered like the crafty and amoral *Prince* of Machiavelli’s imaginings, unrest among believers simmered. Dante, *The Divine Comedy*, vol. 1, *Hell*, canto 19, trans. Dorothy Sayers (Harmondsworth, 1949), 188–91. On the roots of the Reformation in late medieval Europe, see Steven Ozment, *The Age of Reform, 1250–1550: An Intellectual and Religious History of Late Medieval and Reformation Europe* (New Haven, 1980). Recent overviews of the Protestant Reformation and the Catholic response are Ulinka Rublack, *Reformation Europe* (Cambridge, 2007); and Ronnie Po-Chia Hsia, *The World of Catholic Renewal*, 2nd ed.


71. The peasants called for wider access to game and fish, wood and water, meadows and fields, the use of which, often denied by feudal law, was being further restricted by the movement to enclose open lands that was spreading across Europe. They protested against new fees, rents, laws, and services imposed by their lords. In short, they called for liberation from feudal bonds. Because “Christ has redeemed and purchased us without exception, by the shedding of His precious blood, the lowly as well as the great,” they declared, so “it is consistent with Scripture that we should be free and we wish to be so.” The peasants denied the charge of lawless anarchy leveled against them by priests and princes. “Not that we want to be absolutely free and under no authority. God does not teach us that we should lead a disorderly life according to the lusts of the flesh, but that we should live by the commandments, love the Lord our God and our neighbor.” The *Twelve Articles* concluded by adopting the logic of Luther’s own reply to those whom
Charles V had ordered to discipline him: “we will willingly recede from [any] article when it is proved to be against the word of God.” Twelve Articles, in The Protestant Reformation, ed. Hans Hillerbrand (New York, 1968), 63–66.

72. In Luther’s words, “the fact that the rulers are wicked and unjust does not excuse tumult and rebellion, for to punish wickedness does not belong to everybody, but to the worldly rulers who bear the sword.” Luther concurred with the peasants that “rulers do wrong when they suppress the gospel and oppress you in temporal things,” but he cautioned that it is the Christian’s responsibility to yield, to suffer as Jesus suffered, not to rebel. Denying that he was taking the side of the nobles, Luther nevertheless insisted that not one of the Twelve Articles “teaches a single point of the gospel, but everything is directed to one purpose; namely that your bodies and your properties may be free.” Because all the peasants’ demands concerned “worldly and temporal matters,” they had nothing to do with the Christian faith the peasants invoked to justify their cause. If they would be Christians, Luther concluded, they must abandon their demands and accept their condition: “For a slave can be a Christian, and have Christian liberty, in the same way that a prisoner or a sick man is a Christian, and yet not free.” The peasants’ insistence on freedom from all feudal constraints, by contrast, “would make all men equal, and turn the spiritual kingdom of Christ into a worldly, external kingdom; and that is impossible. For a worldly kingdom cannot stand unless there is in it an inequality of persons.” When Luther took his defense of hierarchy to the people, speaking in villages scattered through the German states, he found that his audience had turned hostile. He responded in kind in Against the Robbing and Murdering Hordes of Peasants (1525). There, Luther confirmed that he saw no connection between his own invocation of conscience in repudiating
Church authority and the peasants’ claims. He likened the rebels to mad dogs and urged their slaughter. Luther, Friendly Admonition to Peace concerning the Twelve Articles of the Swabian Peasants, in Hillerbrant, The Protestant Reformation, 67–87; quotations from 73, 80, 83, 70.


74. Goodman wrote, “For though it was profitable to all men that Christ without any resistance should be crucified, being the sacrifice appointed of God the Father to salvation,” things had changed. God’s chosen people should no longer permit “the blasphemy and oppression of their superiors to overflow their whole country and nation, when both power and means is given unto them lawfully to withstand it.” God wills the preservation of his people, so Christians must oppose the ungodly rule of papists who defile God’s law. Christopher Goodman, How Superiors Ought to Be Obeyed by Their Subjects: And Wherein They May Be Lawfully Disobeyed and Resisted, ed. Charles H. McIlwain (1558; New York, 1931), chap. 9. See also Patrick Collison, The Elizabethan Puritan Movement (Oxford, 1982).

75. The most recent English edition of the most notorious of these monarchomach tracts is available as Vindiciae, contra tyrannos: Or, Concerning the Legitimate Power of a Prince over the People, and of the People over a Prince, ed. and trans. George Garnett (Cambridge, 1994). See also François Hotman, Francogallia, ed. R. E. Giesey, trans. J. H. M. Salmon (1573; Cambridge, 1972); Theodore Beza, Du droit des magistrats, ed. R. M. Kingdon (Geneva, 1971); and Philippe Duplessis-Mornay, Vindiciae, contra tyrannos, ed. H. Weber et al. (Geneva, 1979), 210, quoted in Robert N. Kingdon, “Calvinism and


77. Even for those Renaissance humanists drawn to the ideals that might make democracy possible, a group that included not only Montaigne but like-minded thinkers such as Justus Lipsius and Henrik Niklaus in the Netherlands, well-grounded fears of the popular frenzies that fed religious warfare made stable authority a necessity. On the French wars of religion, see Mack Holt, *The French Wars of Religion, 1562–1629*, 2nd ed. (1995; Cambridge, 2005); and Denis Crouzet, *Les guerriers de Dieu: La violence au temps des troubles de religion* (Paris, 1990). Historians who pay attention to the meaning imputed to their own experiences by those they study are now less inclined than they once were to treat religious conflict as a surface manifestation of supposedly “deeper” economic or post-feudal conflicts. See Brad S. Gregory, *Salvation at Stake: Christian Martyrdom in Early Modern Europe* (Cambridge, 1999). On Lipsius and Niklaus in relation to

Chapter 2


4. Winthrop’s complicated relations with Williams are evident in Winthrop, *Journal*. The quotation from January 1636 is on 87.

5. Although the tone of Winthrop’s discussion of Williams in his journal entries in January of 1636 suggests he shared other officials’ contempt for Williams, Williams later claimed, in a letter written to John Mason on June 22, 1670, that the “ever honored Governor, Mr. Winthrop, privately wrote to me to steer my course to Narragansett Bay and Indians.” The best evidence for Williams’s version comes from the decision of the magistrates and clergy to criticize Winthrop for lax enforcement of the colony’s laws immediately after Williams escaped from Salem. See Winthrop, *Journal*, 82–89; and cf. Williams’s letter in Perry Miller, *Roger Williams: His Contribution to the American Tradition* (1953; New York, 1974), 227–35.


12. Williams counseled the following policy, which guided his own interactions with the Narragansett: first, “kiss truth where you evidently, upon your soul, see it”; second, “advance justice”; third, “seek and make peace, if possible, with all men”; finally, “secure your own life from a revengeful, malicious arrow or hatchet.” Roger Williams to John Winthrop, May 28, 1647, in *CWRW* 6:146–47.


15. Williams, *A Key into the Language of America*, 16.


18. Williams, *The Bloudy Tenent of Persecution for Cause of Conscience Discussed and Mr. Cotton’s Letter Examined and Answered*, ed. Edward Bean Underhill (1644; London, 1848), 215. Williams remained sympathetic with Indians and critical of white settlers until the end of his life. Even though his own home in Providence was destroyed when
the Narragansett burned down the town after being drawn into King Philip’s War, Williams acceded to the request that he meet with Narragansett leaders, whom he tried to convince not to embark on the planned attack on Plymouth. As Williams had warned, that attack ended in the almost total destruction of the Narragansett.

19. This common assumption has its roots in Tocqueville’s *Democracy in America*, a book that became one of the standard sources for American historians and political scientists in the middle decades of the twentieth century. According to Tocqueville, Puritanism “was almost as much a political theory as a religious doctrine,” and the New England Puritans “made it their first care to organize themselves as a society” as soon as they landed in the new world. As a result of their efforts, in Tocqueville’s words, a “democracy more perfect than any of which antiquity had dared to dream sprang full-grown and fully armed from the midst of the old feudal society.” See Alexis de Tocqueville, *Democracy in America*, trans. George Lawrence, ed. J. P. Mayer (New York, 1969), 38–39. I will have much more to say about Tocqueville’s understanding of American democracy in chapters 14 and 15. On the shifting status of Tocqueville’s larger argument concerning America, and the ways in which it has been deployed for multiple purposes since its mid-twentieth-century resurgence, see James T. Kloppenberg, “Life Everlasting: Tocqueville in America,” in Kloppenberg, *The Virtues of Liberalism* (New York, 1998), chap. 5. Among the earlier influential studies that stressed the central place of democracy in American history, see especially Ralph Henry Gabriel, *The Course of American Democratic Thought* (New York, 1940); and Merle Curti, *The Growth of American Thought* (New York, 1943).
20. For striking contrasts with the work of earlier twentieth-century historians, see Jon Butler, *Becoming America: The Revolution before 1776* (Cambridge, 2000), who writes flatly, “Colonial politics was not democratic” (90); and Alan Taylor, *American Colonies* (New York, 2001), who contrasts the hierarchy of the mainland to the democracy on board pirate ships (294–97). Like so much else in modern America, the tide began to turn in the mid–1960s, when scholars returned to the early twentieth-century progressive historians Frederick Jackson Turner and Charles Beard and emphasized the presence and persistence of deference, hierarchy, inequality, and oligarchy in American history. For a fine analysis of those dynamics, see the warning against understanding seventeenth-century developments in terms of democracy in John M. Murrin, “Political Development,” in *Colonial British America: Essays in the New History of the Early Modern Era*, ed. Jack P. Greene and J. R. Pole (Baltimore, 1984), 408–56. Valuable as such cautionary reminders are, one can concede that no one set out to establish democracy in America and yet contend that the institutions that developed in England’s seventeenth-century North American colonies nevertheless incorporated more popular participation in government than prevailed anywhere else at the time. For a vigorous and influential argument that democracy has constituted no more than an example of the “make believe” on which all government rests, see Edmund S. Morgan, *Inventing the People: The Rise of Popular Sovereignty in England and America* (New York, 1988), in which he traces the process whereby the “old fiction, the divine right of kings” (15) gave way to the newer fiction of democracy.

21. Winthrop, “A Model of Christian Charity,” written in the spring of 1630, is reprinted in *Journal*, 1–11. These Puritans were looking backward, envisioning the fraternal

22. *The Publications of the Colonial Society of Massachusetts*, vol. 40 (Boston, 1961), 12. According to Darrett B. Rutman, *Winthrop’s Boston: A Portrait of a Colonial Town* (New York, 1965), the date in the manuscripts, August 27, 1630, is erroneous and was corrected in Fuller’s letters to Bradford. Rutman gives July 30, 1630, as the correct date.


24. From the Puritans’ perspective, Anglicans preserved too many remnants of Roman Catholic ritual, theology, and hierarchy. Presbyterians, although they shunned the pomp of Anglican liturgy and embraced the austerity of Calvinism, nevertheless envisioned


28. For Winthrop’s account of this challenge, see Winthrop, *Journal*, 64–67. Two recent studies establish both the presence and the limits of these early assertions of popular authority in early Massachusetts. See Jason S. Maloy, *The Colonial Origins of Modern Democratic Thought* (Cambridge, 2008), 24–41, 114–35, who traces the roots of New England Puritans’ use of the idea of magistrates’ accountability from the ancient world through Protestant resistance theory in terms similar to those offered in chapter one above; and David D. Hall, *A Reforming People: Puritanism and the Transformation of Public Life in New England* (New York, 2011), who demonstrates the uses of popular sovereignty in early New England. Hall is at pains not to describe the Puritans as “democrats” or “proto-democrats.” His evidence, however, makes clear both that the
early settlers of New England used variants of the term themselves and, even more significantly, that they self-consciously reined in the authority exercised by magistrates on behalf of the people. Although their conception of authority located sovereignty in God rather than the people, in its exercise on earth they effectively pioneered popular authority in both ecclesiastic and civil governance. See especially 13–28.


30. “At the Genrall Court, holden att Newe Towne, March 3, 1635,” in *Records of the Governor and Company of Massachusetts Bay*, ed. Nathaniel B. Shurtleff, 5 vols. (Boston, 1853), 1:172. The date in Shurtleff’s edition is 1635 on the old date system, 1636 in the new, which accounts for the discrepancy between the dates given in Rutman, *Winthrop’s Boston*, 67; and Lockridge, *A New England Town*, 38. See also Kenneth A. Lockridge and Alan Kreider, “The Evolution of Massachusetts Town Government, 1640–1740,” *William and Mary Quarterly* 23 (1966): 549–74. Writing about Dedham and Watertown, Lockridge and Krieder argue that town meetings displaced selectmen as the locus of power as the populations of these towns grew, wealthy men proliferated, and this new elite wanted to establish, then to consolidate, its power. In *A New England Town*, 194, Lockridge discusses changing interpretations of government in New England towns from the work of James Truslow Adams in 1921 to B. Katharine Brown in 1954–55. Lockridge downplays “democracy” so decisively because he understands by democracy the tolerance of dissent, the presence of individualism, and the representation of competing interest groups. He denies that Dedham was an oligarchy, but he considers it a
“most peculiar democracy” because the goal was consensus, not the balancing of competing powers that emerged from eighteenth-century constitutionalism. See The New England Town, 37–55. In the interim we have become much more aware of both the degree to which New England writers, such as John Adams in the 1770s, depended on seventeenth-century writers, such as Nathaniel Ward, and the degree to which mid-twentieth-century understandings of democracy diverge from those of eighteenth-century writers ranging from Jean-Jacques Rousseau and Thomas Paine to John Adams, James Wilson, and James Madison. See chapters 6 through 10 below.


42. Winthrop, *Journal*, 165. On the one hand New England Puritans were tireless in regulating economic activity, as illustrated in the case of Robert Keayne and in their efforts to fix wages and prices, in their zeal to limit conspicuous consumption through sumptuary laws, and especially in the relentless criticism of wealth and ease that thundered from their ministers’ pulpits. On the other hand, though, they did work hard, perhaps twice as many hours as most other workers at the time, and their labors bore fruit. They extracted enough from the rocky soil, the forests, and the icy waters of New England not only to survive in the wilderness but to establish flourishing commercial
enterprises. From the beginning they resisted any English claims on that wealth. Prosperity might have made them uneasy, but they were determined to decide how to deal with the anxiety themselves. Winthrop, *Journal*, 165. On Keayne see Bernard Bailyn, “The ‘Apologia’ of Robert Keayne,” *William and Mary Quarterly* 3rd ser., 7 (1950): 568–87; and the fine discussion in Stephen J. Innes, *Creating the Commonwealth: The Economic Culture of Puritan New England* (New York, 1995), an indispensable guide to these issues.

43. Lord Saye and Sele and Lord Brooke abandoned their lands in America and decided to stay in England. Ambivalent as Winthrop was about the turbulence of Massachusetts, he affirmed that the Bay Colony would have no hereditary aristocracy. See “Certain Proposals Made by Lord Say, Lord Brooke, and Other Persons of Quality, as Conditions of Their Removing to New-England, with the Answers Thereto,” in *The History of the Province and Colony of Massachusetts Bay*, ed. Lawrence S. Mayo, 3 vols. (Cambridge, MA, 1936), 1:410–13; *The Correspondence of John Cotton*, ed. Sargent Bush Jr. (Chapel Hill, 2001), 245; and Winthrop, *Journal*, 192.

44. Edward Winslow, *Good Newes from New England* (1624; Bedford, MA, 1996), 70. For the best analysis of these complicated issues, and a fine guide to the enormous literature that has piled up, from Adam Smith and Karl Marx to Max Weber and R. H. Tawney, in the fields of history, economics, and sociology, see Innes, *Creating the Commonwealth*.

45. Such improvisations from the beginning balanced the deeply felt desire for stability against the equally deeply felt desire for a civil sphere governed according to the principle of Christian love. For that reason the founding compacts emphasize both the importance of obedience to legitimate authority and the importance of grounding such
authority on the sovereign will of the people, joining together in a covenant to frame a government consistent with the sovereign will of God. It is possible to emphasize one or the other of those dimensions of these compacts, the yearning for order or the yearning for popular government, and to overlook the other, but the founding documents of New England communities reveal that both impulses were present everywhere. See David D. Hall, “Narrating Puritanism,” in New Directions in American Religious History, ed. Harry Stout and D. G. Hart (New York, 1997), 51–83, for an especially clear statement of this position.


53. The distinctiveness of these compacts becomes clearer when they are compared with others that explicitly recognized the continuing sovereignty of the English monarch. For example, the forty-one men who signed the “Combinations of the Inhabitants Upon the Piscataqua River For Government” in 1641, located also in what became New Hampshire, took a quite different approach from the founders of Plymouth, Massachusetts Bay, Dedham, Providence, or Exeter. In the absence of civil government, these merchants and fur traders noted, various “Mischiefs and inconveniences” had befallen them. Because “his gracious Majesty” had “settled no order for us,” they felt compelled to “combine ourselves into a Body Politick.” But their stated purpose, which might seem at first glance conventional enough, nevertheless distinguished their compact from others formed in Puritan New England. They desired a government “that wee may the more comfortably enjoy the Benefit of his Majesties Laws and doe hereby actually engage ourselves to submit to his Royall Majesties Laws.” They did indicate that they might in addition formulate “such laws as shall be concluded by a major part of the Freemen of our Society,” but they stipulated that such laws would be administered “in behalf of his Majestie” and obeyed inasmuch as they “be not repugnant to the Laws of England.” They promised to abide by the government they were authorizing provisionally, or at least “till his excellent Majestie shall give other orders concerning

54. The state of Connecticut proudly designates itself the “Constitution State” because the “Fundamental Orders” can be considered the first constitution written in North America. The Connecticut framers’ first article signaled the assumptions common to all the Puritan founding documents. “Well knowing that where a people are gathered together,” they began, “the word of God requires that to maintain the peace and union of such a people there should be an orderly and decent Government established according to God.” As a sinful people they would require rules. Those rules, to be legitimate, must be in accordance with God’s will and established by the people’s elected representatives. The law would derive its spirit from the Bible and its force from popular assent. The government of Connecticut was to include deputies chosen by the towns, who would represent them in the General Court. When new towns were established, these too would be entitled to representation proportional to their populations. In contrast, though, both to Massachusetts and to the community established later that year in New Haven, only the Governor, among all the elected officials, was required to be a church member. “The Fundamental Orders of 1639” is printed in Thorpe, *The Federal and State Constitutions*, 531. New Haven, under the leadership of John Davenport, decided that only church members should be eligible for election, because only church members could be counted
on to govern according to the true will of the people, the will of God. See “The
Fundamental Agreement, or Original Constitution of the Colony of New Haven, June 4,

55. Proverbs 11:14. Hooker stated those principles shortly after the unfolding of the
Antinomian crisis; it seems likely he wanted to indirectly chastise Winthrop and the
Massachusetts church elders for unjustly exercising their power over Hutchinson and
other dissenters. Jason Maloy, in *The Colonial American Origins of Modern Democratic
Thought*, 100, points out that “Pilgrim pastor” John Robinson was fond of invoking the
same phrase. For Maloy’s analysis of Hooker’s contributions to the emergence of the
democratic idea that public officials are accountable to the people, see 148–60. For
Hooker’s election sermon of 1638, see *Collections of the Connecticut Historical Society*

56. Commentators who associate democracy with toleration of dissent and diversity have a
conception of order, authority, membership, will, and liberty different from that of
Winthrop and Hooker. For both of them, the compact establishing the town, like the
covenant establishing the congregation, could survive only if the cement of mutual
dependence remained the spirit soldering together individuals’ disparate inclinations.
Self-government required such unity. Thomas Hooker, *A Survey of the Summe of Church-
Discipline* (London, 1648), pt. 1, 50; and see the discussion in Perry Miller, *Errand into
the Wilderness* (1956; New York, 1964), 44–47.

57. Thomas Hooker to John Winthrop, n.d. [fall 1638], *Collections of the Connecticut
Historical Society* 1 (1860): 14; and see the interpretation of Hooker’s and Pynchon’s


62. Although it is tempting to locate that commitment in a form of skepticism similar to Montaigne’s, it derived instead from the tradition of English common law and Paul’s counsel to the Thessalonians that they should “test everything” and “hold on to what is good.” 1 Thessalonians 5:21. An excellent guide to the literature on *The Body of Liberties* is Innes, *Creating the Commonwealth*, 371–72.


69. On the failure of the short-lived Puritan colony of Providence, founded on an island off the coast of Nicaragua, to provide the private ownership of land and the institutions of self-government characteristic of New England, and the consequent failure of Providence to survive without turning to slave labor, see Karen Kupperman, *Providence Island, 1630–1641: The Other Puritan Colony* (New York, 1993).


73. For overviews of the similarities and differences as well as the common patterns, see Kammen, *Deputyes and Libertyes*, 11–31; and Squire, *The Evolution of American Legislatures*, 11–71.
Chapter 3


3. *Wee have brought our hogges to a faire market; with some remembrances of the estates and conditions of Church, King, kingdome, Parliament, Armie, and citie of London. And the one, and onely way to cure all our miseries described* (London, 1648), 1–2.


11. John Rushworth, *Historical collections of private passages of state, weighty matters in law, remarkable proceedings in five Parliaments. Beginning the sixteenth year of King James, anno 1618. And ending the fifth year of King Charles, anno 1629...,* vol. 1 (London, 1721), 40–43.


15. In 1625 Robert Phelips echoed the anxieties of those who witnessed Parliament’s dissolution in 1614: “We are the last monarchy in Christendome,” he warned, “that retayne our originall rightes and constitutions.” Only if Parliament resisted the threat of Charles’s arbitrary rule, and the underlying danger of popery, could those rights be preserved. Robert Phelips in Gardiner, *Debates in the House of Commons in 1625*, 110.

16. Thomas Gataker, *Of the Nature and Use of Lots*, 2nd ed. (London, 1627), 36–45. Given the recent surge of interest in probability, Gataker’s *Of the Nature and Use of Lots* has
been reissued in a contemporary edition edited by Conall Boyle (Exeter, 2008). On the appropriateness of lot for selecting officers, the “most equall and indifferent” means that permits “no corruption or partialitie,” see 205–6. On the shift from lot to election that accompanies the increasing emphasis on consent as the basis of legitimacy, see Bernard Manin, *The Principles of Representative Government* (Cambridge, 1997), 84–98.


19. The Petition of Right is reprinted in Wootton, *Divine Right and Democracy*, 168–71. For a vivid account of the controversies and power struggles that provoked and followed it, see Kishlansky, *A Monarchy Transformed*, 90–133.


25. Henry Parker, *Jus Populi; or, A discourse wherein clear satisfaction is given as well concerning the right of subjects as the right of princes shewing how both are consistent and where they border one upon the other: as also, what there is divine and what there is humane in both and whether is of more value and extent* (London, 1644), 61. See also the discussion of *Jus Populi* in Tuck, *Philosophy and Government*, 231–32.

26. Hunton conceded that cultures ruled by absolute monarchs might never challenge the king’s authority. But James’s and Charles’s claims to absolute sovereignty Hunton dismissed out of hand. Since the time of the German tribes chronicled by the Roman historian Tacitus, English traditions circumscribed monarchs within the boundaries of law, a practice Magna Carta only confirmed. England was both a limited and a mixed monarchy, with authority divided between the King, the aristocracy as represented in the House of Lords, and the people as a whole in the Commons. Given that framework, Charles’s champions had no case: Parliament had a positive duty to resist the King’s violations of law. The Crown, by countering that resistance with arms, forced Parliament to respond in kind. If possible, Hunton concluded, conflicts should be resolved through negotiation. But if violence made deliberation impossible, then “every person must aid that part which, in his best reason and judgment, stands for public good against the destructive. And the laws and government which he stands for, and is sworn to, justify” such resistance. Philip Hunton, *A Treatise of Monarchy*... (1643), in Wootton, *Divine Right and Democracy*, 175–211.


30. In his denunciation of Lilburne, *A Letter of Due Censure...*, dated June 21, 1650, Parker ridiculed Lilburne’s defense. “The Judges because they understand Law, are to be degraded and made servants to the Jurors; but the Jurors, because they understand no Law, are to be mounted aloft...The Judges because they are commonly Gentlemen by birth, and have had honorable education, are to be exposed to scorn; but the Jurors, because they be commonly Mechanicks, bred up illiterately to handy crafts, are to be placed at the helme.” Parker quoted in Wolfe, *Leveller Manifestoes*, 5n6. The most recent comprehensive study of the Levellers is Rachel Foxley, *The Levellers: Radical Political Thought in the English Revolution* (Manchester, 2013). Historians disagree concerning the appropriateness of using the term “democracy” with reference to the Levellers. David Wootton, in “Leveller Democracy and the Puritan Revolution,” *CHPT, 1450–1700*, 412–42, warns against anachronism; Andrew Sharp, in his introduction to *The English Levellers*, vii–xxii, defends the use of the term “Leveller democrats” and considers it fair to characterize the Levellers as “liberal democrats” under “impossible circumstances.”

31. Parliament, Lilburne argued, had done well to challenge the king’s pretensions to absolute sovereign power, because “there is no reason why any man shou’d be bound expressly to any one forme” of government “farther than his Judgement and conscience doe agree thereunto.” But invoking precedents was no longer enough: just as individuals
can change their minds, “so ought the whole Nation to be free therein even to alter and change the publique forme, as may best stand with the safety and freedome of the people.” That call for a fresh start, a reorientation based not on historical experience but on reason and justice, carried Lilburne beyond Montaigne’s circumspection toward the discourse of autonomy and equality, a language Levellers frequently employed to justify their demands for religious toleration and popular government. Lilburne, *The Free-mans Freedom Vindicated* (London, 1646), 11.


34. Against the claims of many prominent historians who have sought to minimize the significance of the Levellers’ ideas or their grounding in ancient republican thought, S. D. Glover presents convincing evidence to the contrary in “The Putney Debates: Popular versus Elitist Republicanism,” *Past and Present* 164 (August 1999): 47–80. Glover demonstrates the existence of a popular strain of classical republicanism that sought to empower the poor instead of merely the propertied. He shows that Leveller leaders such as Lilburne, Overton, Waldwyn, and Wildman explicitly invoked classical and Renaissance texts from that tradition in their writings, from *Vox Plebis* (November 1646) through the 1650s. See also Jason Peacey, *Politicians and Pamphleteers: Propaganda during the English Civil Wars and Interregnum* (Burlington, 2004).


40. The full title of this celebrated pamphlet expresses the thrust of Overton’s argument: *An Appeale, From the degenerate Representative Body the Commons of England assembled at Westminster: To the Body Representing The free people in general of the several Counties, Cities, Townes, Burroughs, and places within this Kingdome of England, and Dominion of Wales* (London, 1647); it is reprinted in Wolfe, *Leveller Manifestoes*, 156–88.


42. Overton denied that he or his friend Lilburne were disloyal. Instead it was their accusers, those in Parliament who had burned petitions and ignored Magna Carta, who were guilty of “High Treason.” Parliament had justified its war against the king by invoking the rights and duties of Englishmen to oppose arbitrary rule. Now the army must do the same: “it was not the end of our undertaking to pull downe one kinde of oppressors to set up others more desperate and dangerous,” to remove “a wicked Counsell from the King, and then to set up and tollerate [sic]” an even “more traiterous [sic] and wicked” Parliament. The army must “amputate” the “corrupt putrified Members from the Body
Representative.” Parliament’s “reall Apostacy” from its “true representative capacity” meant that the people, “this naturall Body, by vertue of its instinked [sic], inherent naturall Soveraignity [sic], may create, or depute any person or persons for their Deputy or Deputies” to achieve “the suppression of injustice and tyranny” and the “recovery of liberty and freedom.” Parliament having betrayed the people, England now swarmed “with such Monsters in nature and humanity, overspreading the whole Land with these tyrannies and oppressions.” Unless the army took immediate action, “nothing but bondage, tyranny, and opression remaineth for the inheritance of us, and our children after us.” Overton, *An Appeale*, 158–63, 176–83.


45. Among the reforms Overton endorsed, prohibiting compulsory adherence to the Presbyterian covenant held pride of place: no secular authority should impose a particular religious belief. But Overton wanted more than freedom of conscience for all Englishmen. All trials should be fair and “speedy,” all courts bound by standing laws translated from Latin into English, and all “Mayors, Sheriffes, Justices of peace, &c. may be left to the free Election of the people, in their respective places, and not otherwise to bee chosen.” Overton, *An Appeale*, 189–190, 194.


47. Overton’s political arguments rested on a more sturdy philosophical foundation than did those of many Leveller writers. His conceptions of popular sovereignty and reciprocity flowed from the idea of individual autonomy that he shared with some but hardly all dissenting Protestants. For a more detailed discussion of the relation between Overton’s
politics and his metaphysics, as laid out in his anti-dualist *Mans Mortalitie* (1643), and an instructive comparison of his ideas with Milton’s, see Nicholas McDowell, “Ideas of Creation in the Writings of Richard Overton the Leveller and *Paradise Lost*,” Journal of the History of Ideas 66 (January 2005): 59–78. McDowell provides a much broader analysis of the backgrounds and arguments of those engaged in the battle of ideas that raged during these years in *The English Radical Imagination: Culture, Religion, and Revolution, 1630–1669* (Oxford, 2003).

48. Although disagreements persist, most historians of seventeenth-century England agree that it was the innovations of the Stuart monarchy that prompted the traditionally-minded English to the protests that led to civil war, revolution, and republic. Wrenching as the conflicts were, the Restoration came so easily because the vast majority of the people of England had never abandoned their loyalties to the monarchy and the Church of England. So many aspects of English history and culture were tangled together in the clashes of these years that neither class interpretations nor interpretations emphasizing contingencies and/or the personal choices by central figures can stand without taking the other factors into account. For incisive discussions of the competing lines of interpretation of these issues, see Robert Ashton, “Tradition and Innovation and the Great Rebellion,” 208–23; Conrad Russell, *The Causes of the English Civil War* (Oxford, 1992); and Austin Woolrych, *Britain in Revolution* (Oxford, 2003).

49. Other pamphlets laid out the radical goals of many ordinary soldiers and expressed their misgivings about their officers’ commitment to their cause. The soldiers had reason to be wary. Despite Cromwell’s effort to alter the balance of power in the House of Commons through a show of the army’s force, Presbyterians continued to dominate Parliament.
Convinced that only a small fraction of soldiers shared the Levellers’ views, Cromwell considered a Presbyterian-dominated Parliament a greater threat to his fellow Independents than the King, with whom he recommended beginning negotiations. *The Case of the Army*, October 15, 1647, in Wolfe, *Leveller Manifestoes*, 198–224.

50. *An Agreement of the People*, November 3, 1647, is in Wolfe, *Leveller Manifestoes*, 225–34; the quotations are from 228.


53. Thomas Rainsborough in Firth, *The Clarke Papers* 1:271. It is worth noting that the Putney debates were unknown until they were published in this collection in 1891. To locate the Putney debates in the wider context of the transformation of English politics from consensus to conflict, see Mark Kishlansky, “Consensus Politics and the Structure of Debate at Putney,” and David Underdown, “Commentary,” in *The Origins of Anglo-American Radicalism*, ed. Margaret Jacob and James Jacob (Boston, 1984), 70–85, 127–129, respectively. For a clear analysis of the army’s ideology, centering on the ideas of individual liberty, the integrity of Parliament as the authentic voice of the people, and a commitment to the common good over private interests, see Mark Kishlansky, “Ideology and Politics in the Parliamentary Armies,” in Morrill, *Reactions to the English Civil War*, 163–83.


57. Wootton, *Divine Right and Democracy*, 296–97.

58. Wootton, *Divine Right and Democracy*, 294.


63. See the preface to Firth, *The Clarke Papers*, li, where these phrases appear in “a letter from the Agents to the regiments which they represented, dated November 11.” There has been some disagreement about the meaning of the category “servants.” If it included apprentices and wage workers, then only the self-employed would be enfranchised if “servants and paupers” were ruled out. In response to the claims of some of the Levellers’ later radical critics, Wootton cogently argues in “Leveller Democracy and the Puritan Revolution,” in *CHPT, 1450–1700*, 432–433, that such a modest aim would hardly have been worth the effort. But if the Levellers did want more than that, it remains hard to say what they wanted because different individuals expressed different goals at different times, and for that reason it is crucial to attend to specific texts.

64. On the *Declaration By Congregationall Societies*, November 22, 1647, see Wolfe, *Leveller Manifestoes*, 58n11.
65. As if the Levellers’ situation wasn’t awkward enough at the time, historians of the seventeenth century have tended ever since to reproduce those judgments. See the fine discussion of these issues in Wootton, “Leveller Democracy and the Puritan Revolution,” in CHPT, 1450–1700, 430–34.


68. Ireton in Firth, The Clarke Papers 2:98.

69. Agreement of the People (1647), in Wolfe, Leveller Manifestoes, 227.


73. See the incisive discussion of private interest and the common good in the Declaration of June 14, 1647; the Remonstrance of June 23, 1647; the Declaration of August 2, 1647; the Remonstrance of November, 1648; and the Declaration of December 6, 1648 in Mark Kishlansky, “Ideology and Politics in the Parliamentary Armies,” in Morrill, Reactions to the English Civil War, 163–83, esp. 179–81.

74. John Cook, A compleate collection of the lives speeches private passages, letters and prayers of those persons lately executed... (London, 1661), quoted in J.C. Davis,

75. The four Leveller leaders proposed that Cromwell and Ireton should choose two associates who would join them to deliberate on their objections to the officers’ *Agreement*. If that group failed to reach consensus (as they must by then have known they would), the Levellers proposed submitting the matter to arbitration by four members of the House of Commons, two chosen by Cromwell and Ireton and two by the imprisoned Levellers. Although nothing came of their suggestion, it is striking how clearly it mirrors the proposal enacted in Rhode Island in 1640. Like their fellow dissidents in New England, the Leveller leaders had confidence that deliberation would generate agreement on their own democratic principles.


79. Walwyn, *Manifestation*.

80. William Walwyn, *The Power of Love* (London, 1643), 43. The other Leveller leaders shared Walwyn’s Puritan convictions. In June of 1649, reflecting from his cell in the Tower on his career as a firebrand, Lilburne noted that he had labored for “Divine Laws” rather than liberation from them. To that end “I should not be the servant of men (to serve their lusts and wills) but entirely and solely the servant of God.” He sought to glorify God “with my body, in righteous and just actions among the sons of men, as well as in my

81. John Lilburne, *Strength out of Weaknesse...* (London, 1649), in Haller and Davies, *The Leveller Tracts*, 21–22. The question of the role of religion in the English Civil War has been the subject of much scholarly debate. Without contending that everything turned on religion at a time of widespread religious faith, an analytical night in which all cows are black, it is nevertheless worth emphasizing that because the Church of England was “by law established” after 1604, all arguments concerning law in England were inevitably arguments about the legitimacy, or lack thereof, of the church as well as the monarchy. For a judicious discussion of these issues, which takes as its point of departure John S. Morrill, “The Religious Context of the English Civil War,” in Morrill, *The Nature of the English Revolution* (London, 1993), see Glen Burgess, “Was the English Civil War a War of Religion? The Evidence of Political Propaganda,” *Huntington Library Quarterly* 61 (1998): 173–201.

82. Walwyn, *Manifestation*.

83. On Katherine Chidley, who championed women’s rights against the authority of their husbands but conceded that women must nevertheless remain subservient, like men, to


91. Milton, The Tenure of Kings and Magistrates, in Dzelzainis, Political Writings, 3–48. See especially 8–13, 16–17, 207. In the words of Martin Dzelzainis, Milton’s “assertions of the right of self-determination are about as categorical as can be imagined.” See Martin Dzelzainis, “Milton’s Classical Republicanism,” in Armitage et al., Milton and Republicanism, 20. Although Dzelzainis’s introduction to his edition of Milton’s Political Writings provides a brilliant textual analysis and historical contextualization of Milton’s arguments in The Tenure of Kings and Magistrates, I believe he exaggerates the extent of
Milton’s “secularism” and understates his reliance on religious arguments and ideas, the importance of which the text makes unmistakable. Although Milton shifted his focus away from the “inferior magistrates” emphasized by continental resistance theorists, and by Presbyterians John Knox and George Buchanan, to emphasize the legitimacy of popular sovereignty, he remained careful to locate the origin of the people’s authority in the will of God. The presence of arguments concerning reason and nature in Milton’s text need not rule out the persistence of religious arguments as well. Although the contributors to Milton and Republicanism make a persuasive case for the uses to which Milton put arguments drawn from both classical and Renaissance humanism, that evidence should not blind us to his continuing—and, I believe, at least equally important—reliance on his understanding of the Hebrew and Christian Bible as the word of God. For another illustration of the persistent, anachronistic attempt to see in Milton’s writings an unconscious secularism struggling to be born, see Quentin Skinner, “What Does It Mean to Be A Free Person?” London Review of Books, May 22, 2008, 16–18.


93. The best guide to, and explanation of, these subtle changes in Milton’s arguments is Dzelzainis’ introduction to Milton, Political Writings, especially x–xxv. He points out, on 33n140, that Milton might already have seen a draft of Salmassius’s work when he revised The Tenure of Kings and Magistrates only eight months after the first edition appeared.


95. Milton, A Defense of the English People, 80; see also 156–57, 184–91.

96. Milton, A Defense of the English People, 194; see also Dzelzainis’ introduction, xxiv–xxv.

98. Only the people as a whole can secure the public good, which no single individual, no matter how virtuous or wise, can see as they do. By choosing the best among them for office, the multitude was exercising its judgment wisely. “The happiness of a nation must needs be firmest and certainest in a full and free Council of their own electing, where no single person but reason only sways.” Only children would choose freely to renounce their own liberty and make their wills subservient to the “patronage and disposal” of a “single person.” Milton, *The Readie and Easie Way*, 510–12.


101. In Milton’s judgment, “liberty of conscience,” which “above all other things ought to be to all men dearest and most precious,” is much more effectively secured by republican than monarchical government. Moreover, “the civil rights and advancements of every person according to his merit” is likewise likelier in a republic, and both spiritual and civil freedom “may be best and soonest obtained, if every county in the land were made a little commonwealth.” Milton, *The Readie and Easie Way*, 520–23.
102. On this theme of multiple traditions, see especially Steven Pincus, “Neither Machiavellian Moment Nor Possessive Individualism: Commercial Society and the Defenders of the English Commonwealth,” *American Historical Review* 103, no. 3 (June 1998): 705–36; and Scott, *England’s Troubles*, 290–97, for persuasive statements of the case. In an incisive review essay in *English Historical Review* 112 (September 1997): 949–51 that discusses recent scholarship concerning these issues, including Markku Peltonen, *Classical Humanism and Republicanism in English Political Thought, 1570–1640* (Cambridge, 1995); the essays in Skinner, *Milton and Republicanism*; and a new edition of Algernon Sidney, *Court Maxims*, ed. Hans Blom, Eco Haitsma, Julier and Ronald Janse (Cambridge, 1996), Scott writes: “every republican combined several political languages, and most bridged in the process the intellectual terrains of humanism, Christianity and law (among others).” Scott concludes that English republicanism was “a moral philosophy of self-government” that was “Greek in origin, with Roman and Christian accretions (allowing for considerable variety around a common core).” Puzzlingly, the most erudite of British historians, Quentin Skinner, in *Liberty before Liberalism*, for reasons neither self-evident nor articulated, continues to ignore the evidence of such blending, particularly the vitality and appeal of Christian ideals, and to stress instead the idea of “neo-Roman liberty.”


accomplished.” In England “the Leveller program was never adopted—not by the Long Parliament, which refused all suggestions that it dissolve, nor by the commonwealth and protectorate.” In the political sphere, “the accomplishments of the colonists became the fullest embodiment of the animus against arbitrary rule, monarchical authority, monopolies, and other forms of special privilege, and, on the side of state-building, the fullest realization of ‘fundamental liberties,’ the empowering of legislative representatives, and the principle of consent.”
Chapter 4


4. Vane’s speech, delivered June 6, 1662, was published—anonymously, of course—several times in the decades that followed. It is reprinted, together with the record of his trial, in Joyce Lee Malcolm, ed., The Struggle for Sovereignty: Seventeenth-Century English Political Tracts, 2 vols. (Indianapolis, 1999), 2:531–62.


6. Anthony Ashley Cooper, Earl of Shaftesbury, “Two Seasonable Discourses concerning this Present Parliament” and “A Letter from a Person of Quality, to His Friend in the Country,” both from 1675, are reprinted in Malcolm, The Struggle for Sovereignty 2:592-602, 606-49.

7. Vox Populi; or, the Peoples Claim to their Parliaments Sitting To Redress Grievances, and Provide for the Common Safety; by the Known Laws and Constitutions of the Nation (London, 1681), is reprinted in Malcolm, The Struggle for Sovereignty 2:651–69.


15. The “light of nature and reason in man” has “its beginning in God,” so “Plato and the other great masters of human reason” need not be contrasted to scripture. The learned might invoke “Littleton and Coke” and advise studying the common law, but Sidney counseled instead reading only ancient philosophers and “above all” the Bible, “being the dictate of God’s own spirit.” Sidney, *Court Maxims*, 123, 125.


20. Our own anxieties regarding low turnout make us worry less about vote buying than about voter disinterest. But ignoring the reasons for seventeenth-century republicans’ misgivings about popular government, or assuming that they betray anti-democratic bias, blinds us to the less than salutary practices that enabled those with resources to purchase their neighbors’ support. The late 1670s were, after all, the period when the word “sham” entered the English language to describe deceitful practices common in public life. Not all complaints about “corruption” rested on fantasies of conspiracy. See William Penn [using the pseudonym Philanglus], *England’s Great Interest In the Choice of this New Parliament, Dedicated to All Her Freeholders and Electors* (London, 1679), 1. On the question of elections, the corruption of the franchise, and the transformation of electoral politics from rituals endorsing consensus candidates to competition between rivals, see Richard Ashcraft, *Revolutionary Politics and Locke’s Two Treatises of Government* (Princeton, 1986), 594; Gordon Schochet, “Radical Politics and Ashcraft’s Treatise on Locke,” *Journal of the History of Ideas* 50 (July–September 1989): 503–6; and Mark Kishlansky, *Parliamentary Selection: Social and Political Choice in Early Modern England* (Cambridge, 1986).

21. “I must confess,” Sidney wrote, “I do not know three men of a mind, and that a spirit of giddiness reigns among us, far beyond any I ever observed in my life.” Sidney to George

22. “Things are so entangled, that liberty of language is almost lost; and noe man knowes how to speake of any thing, least [*sic*] he that is spoken unto may be of a party contrary unto him, and that endeavours to overthrow what he would set up.” Those intrigues caused Sidney to be accused by royal spies of treason. He was suspected of allying with Shaftesbury in the Exclusion Crisis, which now seems false; of participating in the Rye House Plot, which also seems false; and third, of helping to write seditious pamphlets challenging the legitimacy of the king’s repeated dissolutions of Parliament, which was almost certainly true. Sidney to Benjamin Furly, October 13, 1680, in *Original Letters of John Locke, Alg. Sidney, and Lord Shaftesbury*, ed. T. Forster, 2nd ed. (1830; London, 1847), 98. One of those pamphlets, *A Just and Modest Vindication of the proceedings of the Two last Parliaments* (London, 1682), was reprinted as *The design of inslaving England discovered by the incroachments upon the powers and privileges of Parliament by K. Charles II* (London, 1689); it has been attributed to William Jones and Robert Ferguson as well as Sidney.


25. The efforts of some twentieth-century scholars either to tease out defenses of capitalism or to insist on the primacy of civic republicanism as the animating principles of radicals in the 1670s and 1680s are no longer persuasive. Sidney and his contemporaries saw the
world neither in terms of a market economy nor a classical polis but above all in terms of their understanding of the responsibilities of Protestant Christians. Although they valued property and civic virtue, and different individuals placed varying degrees of emphasis on different aspects of the radical creed, almost all of them discussed those values in relation to the overarching framework provided by their religious faith. For more detailed and contextualized discussions of these issues, and treatment of the historiographical controversies between “liberal” and “republican” interpretations that now seem to me largely resolved, see Houston, *Algernon Sidney and the Republican Heritage in England and America*, 3–11, 122–30; and Scott, *England’s Troubles*, 290–97, 352–55.

26. “Liberty solely consists in an independency upon the will of another, and by the name of slave we understand a man, who can neither dispose of his person nor goods, but enjoyes all at the will of his master.” Sidney, *Discourses*, 17.


32. Sidney argued that a single national assembly was superior to the federal arrangements in Switzerland or the United Provinces, because in such nations individual cantons or provinces could dig in their heels against the others and insist on their own interest without having to confront the discrepancy between that interest and the broader interest
of the nation as a whole. Although fully cognizant of its costs, Sidney preferred the English system, which was premised on the awareness that “every county does not make a distinct body, having in itself a sovereign power, but is a member of that great body which comprehends the whole nation. ‘Tis not therefore for Kent or Sussex, Lewis or Maidstone, but for the whole nation, that the members chosen in those places are sent to serve in parliament.” Sidney, Discourses, 451.

33. Sidney, Discourses, 443–44.

34. Sidney, Discourses, 559.

35. In ways that will become clear, that conviction sparked a disagreement between Sidney and William Penn, and developments in Pennsylvania would demonstrate the profound wisdom of Sidney’s more prudent assessment of human potential. Sidney, Discourses, 461, 451, 173; and cf. 149–50, 357, and 524–25.

36. Sidney, Discourses, 548.

37. Just as “the meanest piece of wood or stone, being placed by a wise architect, conduces to the beauty of the most glorious building,” so are men, on their own and as individuals, merely “rough pieces of timber or stone” to be transformed into a durable and valuable creation by a “skillful builder” who must “cleave, saw or cut” the raw materials he is given. Without those materials, and without the vision of those builders, there is nothing. Sidney, Discourses, 83–85.

38. The jury that judged Sidney guilty was not exactly a jury of his peers, which would have been, in his words, a jury drawn from “the principal knights and gentlemen that were freeholders in Middlesex.” Instead it consisted of “a rabble of men of the meanest callings, ruined fortunes, lost reputation, and hardly endowed with such understanding, as
is required” to reach a verdict concerning the most trivial of offenses. It was, he complained, a jury of men lacking autonomy, experience in public affairs, and the ethic of mutuality that Sidney prized—in short, individuals of the sort most likely to favor absolute monarchy and least likely to embrace Sidney’s republican values. Facing execution, Sidney thought he deserved better. For *The Apology of A. Sydney, in the Day of his Death*, in *Sydney on Government*, see Scott, *England’s Troubles*, 448.

39. When rulers violate the public good, the people retain the right to resist: “those laws were to be observed, and the oaths taken by them, having the force of a contract between magistrate and people, could not be violated without danger of dissolving the whole fabrick.” Sidney, *The Very Copy of a Paper Delivered to the Sheriffs, upon the Scaffold on Tower-Hill, on Friday Decemb. 7, 1683* (London, 1683), 2.

40. Free nations “are governed by their own laws and magistrates according to their own mind.” Only the enslaved are content with aristocracy or monarchy, having either “willingly subjected themselves” or “by force brought under the power of one or more men, to be ruled according to his or their pleasure.” Sidney, *Discourses*, 440; see also 502–3.


43. In his unpublished *Tracts* and his correspondence, Locke acknowledged his relief, at that stage in his life, that the monarchy had been restored. “The supreme magistrate of every nation, what so ever created, must necessarily have an absolute and arbitrary power,” he proclaimed in the *Tracts*. Lest there be any doubt about his own preferences, he later appended a preface in which he wrote, “As for myself, there is no one can have a greater respect and veneration for authority than I.” Locke lamented that as soon as he was born, “I found myself in a storm which has lasted almost hitherto, and therefore cannot but entertain the approaches of a calm with the greatest joy and satisfaction.” Given the tendency of sinful men to disobey, authority must be absolute and obedience unquestioning—at least in outward form. Yet another principal tenet of the dissenting tradition also shaped Locke’s upbringing: no civil authority can dictate inner belief.

44. Locke’s elevated status as a Carolina “landgrave” and the accompanying grant of four thousand “baronia,” which he and his associates no doubt imagined to be a considerable expanse of fertile land, never yielded him a penny. It has long been known that Locke owned stock in the Royal African Company and profited from the slave trade. On the relation between this fact and his later political writings, cf. Jeremy Waldron, God, Locke, and Equality: Christian Foundations in Locke’s Political Thought (Cambridge, 2002), 198–206; and David Armitage, “John Locke, Carolina and the Two Treatises of Government,” Political Theory 32 (2004): 602–27.


46. Locke to the Earl of Pembroke, December 8, 1684, in Locke, Correspondence 2:664. Attempting to explain to Pembroke why he was not in France but in Holland, known for decades as the preferred refuge for English political as well as religious dissenters, the abstemious Locke offered a singularly unconvincing reason: he was there for the beer.

47. Locke, Correspondence 3:634. See also the excellent discussion of these issues in Hoppit, A Land of Liberty?, 30–34.

48. Locke to Clarke, April 19/29, 1687, Correspondence 3:173. In a letter to William Molyneux written January 19, 1694, Locke wrote, “Every one, according to what way Providence has placed him in, is bound to labour for the public good, as far as he is able, or else he has no right to eat.” Correspondence 4:786. Of all the scholarship devoted to this issue, I have found particularly valuable John Dunn, “Individuality and Clientage in the Formation of Locke’s Social Imagination,” in Dunn, Rethinking Modern Political

49. “Every man has an immortal soul,” Locke wrote, “capable of eternal happiness or misery,” and nothing matters more than “doing those things in this life, which are necessary to the obtaining of God’s favor.” Indeed, “the observance of these things is the highest obligation that lies upon mankind,” precisely because “there is nothing in this world that is of any consideration in comparison with eternity.” Sincere faith “cannot be imposed on any church by the law of the land.” “To believe this or that to be true, does not depend upon our will.” Locke, Letter Concerning Toleration, ed. Mark Goldie (Indianapolis, 2010), 11–15, 44–45.

50. Locke first expressed this conviction, which he reached in the early 1670s, in A Letter from a Person of Quality to his Friend in the Country. Not coincidentally, he left for France immediately after that tract was published anonymously in 1675. The Letter is included in the appendix to Locke, Political Essays, ed. Mark Goldie (Cambridge, 1997), 360–65, even though its authorship remains contested. Goldie writes, “No place of publication or name of publisher is given; there is no extant manuscript. The tract was included in Pierre Desmaizeaux’s Collections of Several Pieces of Mr. Locke (1720) and in later editions of Locke’s Works.” There is no other evidence to establish Locke’s authorship. Because Desmaizeaux contended that Shaftesbury dictated the text to Locke, some scholars have attributed it to Shaftesbury. Goldie concludes “there is little doubt the tract reflected Locke’s views,” a judgment shared by Richard Ashcraft, Revolutionary Politics and Locke’s Two Treatises of Government, 120–23.
51. Locke’s eloquent defense of toleration notwithstanding, those inclined to invoke Locke as a champion of religious freedom should note that he considered both Catholics and atheists beyond the pale, even though his argument in the *Letter Concerning Toleration* might seem explicit in its inclusion of Catholicism. Civil government could not compel belief, Locke reasoned, but neither could religious believers ignore the laws of civil government. Locke feared, as did his fellow English Protestants, that Catholics would obey only laws decreed by the Pope. The point of the Whigs’ strategy of exclusion, of the failed rebellion of 1685, and of the Revolution of 1688 was to prevent England from becoming Catholic. Even if as a faith Roman Catholicism deserved to be tolerated, Catholics’ supposed susceptibility to treason made them too dangerous to accept. Atheists likewise could not be trusted, Locke argued, but for a different reason. Since atheists did not consider each individual a child of God, and therefore sacred, they had no reason to treat others with respect, and since they did not believe in damnation, they had no reason to keep promises and every incentive to lie, cheat, and steal. Recent commentators have explored the possibility that Locke’s principles might have been extended to include not only Roman Catholics but non-European native peoples. Plausible as those arguments seem, the historical Locke was rather less sympathetic with non-Protestant religions. Cf. Duncan Ivison, “The Nature of Rights and the History of Empire,” in David Armitage, ed., *British Political Thought in History, Literature and Theory* (Cambridge, 2006), 191–211; and Waldron, *God, Locke, and Equality*, 218–23.

52. Locke’s case against absolutism depends on arguments developed in *The Second Treatise*, in which he laid out his own principles of government. That makes *The First Treatise* hard to follow for readers not immersed in Filmer, and it corroborates the claim
that Locke was working on both books simultaneously in the late 1670s and early 1680s, at just the time when he was deeply engaged with Shaftesbury in the Exclusion Crisis. The case for Locke’s substantial completion of both *The First Treatise* and *The Second Treatise* between 1679 and 1681 is made most persuasively by Peter Laslett in his introduction to his edition of *Two Treatises of Government*. For questions concerning the reliability of that dating, see Dunn, *The Political Theory of John Locke*, 47–57; and concerning the relative importance of the composition as opposed to the publication of *Two Treatises*, see Waldron, *God, Locke, and Equality*, 7–12. On the similarities and differences between Locke’s and Sidney’s refutations of Filmer, and on the changing contexts in which they wrote, see Scott, *England’s Troubles*, 374–88.

53. Locke, *Second Treatise*, in *Two Treatises of Government*, ed. Peter Laslett (1960; Cambridge, 1988), 268. All citations to the *First Treatise* and the *Second Treatise* are to the 1988 version of Laslett’s edition. As these quoted phrases make clear, the argument of C. B. Macpherson concerning Locke’s supposedly proto-capitalist defense of the accumulation and protection of property as the central thrust of *The Second Treatise* cannot survive reading the second page of the book, in which Locke defends the regulation of property on behalf of the public good as one of the principal purposes of law.


55. In England, the people had established episcopal government in the domain of religion and Parliament in the realm of politics, and in both spheres Hooker considered those appointed the legitimate agents of the people. But Hooker denied that the sovereign people, having once established a particular form of government, enjoyed the right to
change that form; vesting sovereignty in them was a potentially explosive principle, as Leveller pamphleteers made plain. Indeed, publication of the final three volumes of Hooker’s work was delayed for several decades, at least in part because his editors realized just how corrosive of royal and episcopal authority his arguments were. On Hooker, see Richard Tuck, *Philosophy and Government, 1572–1651* (Cambridge, 1993), 146–53.

56. To that ethic of reciprocity Hooker and Locke added the “relation of equality between our selves and them, that are as our selves,” a relation acknowledged in multiple “Rules and Canons” that “natural reason hath drawn for direction of Life.” Of such principles “no Man is ignorant.” Locke quoting from Hooker, *Ecclesiastical Polity*, the edition of 1676, in *Second Treatise*, 310–11. The entire quotation reads as follows: “it is no less their Duty, to Love others than themselves, for seeing those things which are equal, must needs all have one measure; If I cannot but wish to receiv e good, even as much at every Man’s hands, as any Man can wish unto his own Sual, how should I look to have any part of my desire herin satisfied, unless my self be careful to satisfie the like desire, which is undoubtedly in other Men, being of one and the same nature? to have any thing offered them repugnant to this desire, must needs in all respects grieve them as much as men, so that if I do harm, I must look to suffer, there being no reason that others should shew greater measure of love to me, than they have by me, shewed unto them; my desire therefore to be lov’d of my equals in nature, as much as possible may be, imposeth upon me a natural Duty of bearing to themward, fully the like affection; From which relation of equality between our selves and them, that are as our selves, what several Rules and Canons, natural reason hath drawn for direction of Life, no Man is ignorant.”

58. For an excellent discussion of Grotius, which contextualizes his writings, shows his similarities to Locke (especially concerning religious toleration and the origin of property) and his differences from Hobbes, and explains why he remained skeptical about democracy and opted instead for an aristocratic republicanism, see Tuck, *Philosophy and Government, 1572–1651*, 154–201.


60. Oldenbarnevelt was a prominent public official—for a time the chief minister of Holland, the most powerful among the United Provinces—and the decision of the States-General to arrest him and Grotius indicated that religious unrest in the United Provinces had escalated to a point near civil war. Oldenbarnevelt was convicted, in part on the basis of testimony given by his associate Grotius, and was martyred, just as Sidney was, for the cause of religious toleration. After his escape from prison, Grotius lived for the rest of his life in Paris, first on a royal pension for his services to the French government, then as an envoy from Sweden to France—except for a brief sojourn in 1631 back in the United Provinces, from which he was again expelled.


62. Pufendorf, *De jure naturae et gentium libri octo* 2:205. See also Istvan Hont, “The Language of Sociability and Commerce: Samuel Pufendorf and the Theoretical


64. Locke, *Second Treatise*, 331–33.

65. Locke, *Second Treatise*, 329–32. At this stage of the argument Locke again invokes Hooker’s observation that monarchy, “the thing which they had devised for a Remedy, did indeed but increase the Sore, which it should have cured” (330).

66. Political theorists have debated the implicit logic of Locke’s fragmentary and scattered comments on the suffrage. Although I am persuaded by the claim that Locke’s arguments concerning the equality of all persons point in the direction of extending the franchise to all individuals regardless of property or gender, there is no evidence that Locke himself shared that view—or that he was unusual even among Whigs in believing that only men with a certain minimum amount of property would be allowed to vote. It is obvious that Locke falls short of our standard of universal suffrage, and of course he willingly embraced constitutional monarchy. By the standards of his day, however, his arguments for equality and popular sovereignty, although less radical than those of some Levellers, placed him among the more democratically inclined of English political writers—as the suspicions aroused by his unpublished writings and association with Shaftesbury

67. The problem was hard to fix because current arrangements suited those in Parliament. But “true reason,” not custom, should determine the number of representatives and their districts. It is “the interest, as well as intention of the People, to have a fair and equal Representative”; thus, replacing the existing system would earn “the Consent and Approbation of the Community.” Careful and continuing reapportionment of representatives Locke judged a high priority. “Whenever the People shall chuse their Representatives upon just and undeniably equal measures suitable to the original Frame of the Government, it cannot be doubted to be the will and act of the Society.” Locke, *Second Treatise*, 372–74. For Shaftesbury’s equally direct challenge to the existing system for electing Members of Parliament, see Dunn, *The Political Thought of John Locke*, 56n1.

the laws that regulated property must have been agreed to by representatives; in the
second, those laws must be directed to the common good, which included not only the
juridical requirements of nonarbitrariness but also the economic requirements of
furthering growth; in the third, the law must make certain that no one starve; and in the
fourth, a person about to starve because the previous requirement was not fulfilled could
take what was needed” (63). Cf. the recent recapitulation of the now standard
interpretation of Locke’s analysis of the relation between property and labor in Ivison,
“The Nature of Rights and the History of Empire,” 197: “Cultivation and industry does
not merely produce more stuff, but more opportunities for people to labor, and thus
greater opportunities for more people to preserve themselves and serve God.” Steven
Forde, *Locke, Science, and Politics* (Cambridge, 2014), provides a detailed account of the
reasons why natural law, grounded in “divine command,” not individual property rights,
provides the “bedrock or foundation” of Locke’s philosophy. For Locke, Forde
concludes, the right to property rests on “the higher-order moral imperative to further the
good of mankind as a whole.” See 1–10, 175–81.

69. Were the government to dissolve for any reason, Locke argued, power would logically
revert to the people, who would then “constitute a new Form of Government.” Locke
called the body exercising this ultimate power “the Commonwealth.” He did not
necessarily mean by that term “a Democracy,” or any other particular form of
government, but merely the “independent community” that maintains “the supreme
power” in any political system. No part of that whole, whether a king, a body of
aristocrats, or a representative assembly, should be mistaken for the people as a whole
because no “inferior Power should prescribe to a Superiour.” Locke, *Second Treatise*, 354.

70. Such ideas circulated among the Levellers and other republicans during the era of the Civil War. Locke was familiar with the writings of Henry Parker and John Wildman and with the monarchomach tradition, which held that power reverts to the legislative assembly—in the English case, Parliament—in cases of usurpation or abuse of power. But the monarchomarchs had stumbled over the issue that I have already identified: if sovereignty lay with the King-in-Parliament, then how and on what basis could Parliament itself challenge the King? Locke also knew the now-obscure writings of George Lawson, who went beyond the monarchomachs and criticized the Commonwealth for constituting its authority on the basis of the already discredited Parliament rather than attempting to establish its legitimacy by appealing directly to the English people. But Lawson had not envisioned sovereignty returning directly to the people; he thought that existing county courts might be the appropriate site of such popular gatherings and the ratification of the Commonwealth. On the influence of Lawson on Locke, see Julian Franklin, *John Locke and the Theory of Sovereignty: Mixed Monarchy and the Right of Resistance in the Political Thought of the English Revolution* (Cambridge, 1978).

71. It is amusing to note that Locke refused assignment as Ambassador to the court of Frederick III, Elector of Brandenburg, on the grounds that he was unqualified because he could not hold his beer. Either his constitution had changed since he had claimed in 1684 that he had gone to Holland for the beer, or the explanation of 1689 was as specious as that he offered five years earlier. See Cranston, *John Locke*, 312.

73. Farr and Roberts, “John Locke on the Glorious Revolution.”


75. John Dunn, with Peter Laslett among the first commentators to stress the importance of Locke’s religious faith, has argued vigorously that Locke’s Christianity renders his political ideas—important as they were historically—unpersuasive in our “post-Christian” age. See for example Dunn’s conclusion in *The Political Thought of John Locke*, 262–67. For contrasting judgments concerning the implications of Locke’s religious convictions for us, see Taylor, *Sources of the Self*; and Waldron, *God, Locke, and Equality*, 240–43. I am grateful to Kenneth Winkler, editor of one of the standard abridged editions of Locke’s *Essay Concerning Human Understanding* (Indianapolis, 1996), for his clarification of thorny issues concerning Locke’s *Essay* and its interpreters.

76. Locke, *Essay*, bk. 3, chap. 11, par. 16, 517; bk. 2, chap. 11, par. 10, 159. See also the comprehensive discussion of these issues in Waldron, *God, Locke, and Equality*, 50–81; and the admirably concise treatment in Ivison, “The Nature of Rights and the History of Empire,” 194.

77. Locke, *Essay*, bk. 4, chap. 10, par. 6, 621.
78. “Such a submission as this of our reason to faith, takes not away the landmarks of knowledge; this shakes not the foundations of reason, but leaves us that use of our faculties, for which they were given us.” Locke, Essay, bk. 4, chap. 18, par. 10, 696.

79. See Locke, Essay, bk. 4, chap. 19, par. 12, 703; and Dunn, The Political Thought of John Locke, 249–50.

80. Both Locke and many of his interpreters tend to write “Christianity” when they mean “Protestant Christianity,” a reflection of the unselfconscious anti-Catholicism prevalent in English culture since the sixteenth century.

81. Locke believed that rational capacity exists in every person, and his egalitarianism and his ethics flowed from that conviction. “God has furnished Men with faculties sufficient to direct them in the Way they should take, if they will but seriously employ them that Way, when their ordinary Vocations allow the Leisure.” All people, no matter how difficult their circumstances, should have time to think about the fate of their souls in eternity. “Were men as intent upon” the question of their salvation “as they are on things of lower concernment, there are none so enslaved to the necessities of life, who might not find many vacancies, that might be husbanded to this advantage of their knowledge.” Locke never doubted that all people share the capacity to reason, nor that such “power of abstracting” is as likely—or even likelier—among ordinary people than among those born to wealth or nobility. The much-studied Protestant ethic not only motivated ceaseless striving, it also devalued older aristocratic notions of honor and glory in favor of a higher assessment of the capacity of ordinary people and the sanctity of everyday life. Locke, Essay, bk. 4, chap. 20, par. 16, 717. For the relation between this
reassessment of ordinary life and the broader consequences of the Reformation, see Taylor, *Sources of the Self*.


84. Locke, *Essay*, bk. 2, chap. 21, par. 52, 267; and cf. Locke’s letter to Edward Clarke, April 19/29, 1687, discussed on pp. 155–56 above.

85. Locke, *Some Thoughts concerning Education*, ed. John W. Yolton and Jean S. Yolton (Oxford, 1989), 103. Cf. the following passage from 170: “Covetousness, and the Desire of having in our Possession, and under our Dominion, more than we have need of, being the Root of all Evil, should be early and carefully weeded out, and the contrary Quality of a Readiness to impart to others, implanted.”

86. Locke, *Some Thoughts concerning Education*, 111, the same wording as that in the letter to Edward Clarke discussed on pp. 155–56 above.

87. John Locke, *The Reasonableness of Christianity: As Delivered in the Scriptures*, ed. John C. Higgins-Biddle (Oxford, 1999), 89, 150. The book sparked a controversy because, as Locke tried to lay out what he considered the core beliefs of Christianity, he seemed to be rejecting important Anglican doctrines such as the trinity and original sin.

88. Locke, *The Reasonableness of Christianity*, 149.


90. See Locke’s letter to William Molyneux, January 19, 1694, on the universal obligation “to labour for the public good.” On Locke’s conception of what follows from the duty to develop one’s God-given capacities through strenuous, productive labor, see Dunn, *The Political Thought of John Locke*, 251–54; and the incisive account of the relation


92. “A Paper which was delivered to the house of Commons on Monday 28th January 1688 [i.e., 1689]…said to be written by the Marquis of Halifax” (Rawlinson Ms. D 1079, 8, Bodleian Library); and “Proposals to this present Convention,” in *The Eighth Collection of Papers Relating to the Present Juncture of Affairs* (London, 1689), 33. The Convention included individuals who hailed from diverse backgrounds and professed a wide array of political convictions. Among the most influential was the former Leveller John Wildman. Imprisoned first by Cromwell, then by Charles II, and later under suspicion for his role in both the Rye House plot and Monmouth’s rebellion, Wildman returned to England from his Dutch exile in the company of William of Orange. Wildman was elected a member of the Convention and named to the Committee that wrote the first Draft of the Declaration of Rights. He also produced an anonymous pamphlet, *Some Remarks upon Government*, which was among the dozens printed in the early months of 1689. Wildman, in his typical fashion, surveyed the options, weighing
the advantages and disadvantages of monarchy, aristocracy, democracy, and their "several Derivatives, Compounds, and Variations." Although democracy appears preferable, all forms "have their Defects." To solve the problems of the English case, Wildman suggested strengthening the power of Parliament and reforming the electoral system. In the present circumstances, Wildman urged the adoption of a monarchy. But, Wildman concluded ominously, his esteem for William of Orange did not extend to his "Posterity," leaving open the question of whether England should embrace in principle what it was choosing in fact, an elective monarchy of the sort common elsewhere in Europe. Wildman’s pamphlet, Some Remarks upon Government, and particularly upon the Establishment of the English Monarchy Relating to this present Juncture, is reprinted in Malcolm, The Struggle for Sovereignty 2:868–901. See also the discussion of the Convention in Edmund S. Morgan, Inventing the People: The Rise of Popular Sovereignty in England and America (New York, 1988), 107–21; and Lois Schwoerer, The Declaration of Rights, 1689 (Baltimore, 1981).

93. These judgments, of course, remain contested. Cf. Hoppit, A Land of Liberty?; and Kishlansky, A Monarchy Transformed. These years also saw the first appearance of what might be called a women’s-rights sensibility, notably in the work of Lady Mary Chudleigh and Mary Astell. Astell’s Essay in Defence of the Female Sex (1706) urged the creation of separate schools in which young women might develop their God-given capacities. Astell’s conservative Anglicanism, her stridently Tory political sentiments, and her acceptance of women’s subservient role in marriage have made her a controversial figure in more recent feminist scholarship. See Mary Astell, Political
Writings, ed. Patricia Springborn (Cambridge, 1996); and the essays collected in Patricia Springborn, Mary Astell: Theorist of Freedom from Domination (Cambridge, 2005).


98. James quoted in Edmund S. Morgan, *Inventing the People: The Rise of Popular Sovereignty in England and America* (New York, 1988), 125. As James saw more clearly than Morgan, the ability of representative assemblies to make trouble was considerably more than a fiction. See the concise account of these developments in David S. Lovejoy, “Two American Revolutions, 1689 and 1776,” in Pocock, *Three British Revolutions*, 244–62.


100. The petitions from 1683 and 1685 are in Shurtleff, *Records of the Governor and Company of the Massachusetts Bay* 5:201, 495.


For a more comprehensive view of New Englanders’ complaints against Andros, see The Andros Tracts, ed. William Whitmore, 3 vols. (Boston, 1868–74).

104. Increase Mather quoted in Miller, From Colony to Province, 169. Breen, The Character of the Good Ruler, 134–79, argues that Puritan thinking shifted from an earlier focus on salvation to a great emphasis on property in the late seventeenth century. Robert Middlekauff, The Mathers: Three Generations of Puritan Intellectuals, 1596–1728 (New York, 1971) explains the dissatisfaction felt by both Cotton and Increase Mather by stressing their sense of cultural loss, which the new charter merely ratified. The evidence, though, suggests both the persistence of piety and a change of circumstances as Boston was drawn more tightly into transatlantic economic and religious networks; on the coexistence of commercial activity with the persistence of Puritan zeal, see Mark Peterson, “Theopolis Americana: The City-State of Boston, the Republic of Letters, and the Protestant International, 1689–1739,” in Soundings in Atlantic History: Latent Structures and Intellectual Currents, 1500–1830, ed. Bernard Bailyn and Patricia L. Denault (Cambridge, MA, 2009), 329–70.

105. For a recent discussion of voter eligibility in Massachusetts, see Richard Beeman, The Varieties of Political Experience in Eighteenth-Century America (Philadelphia, 2004), 69–79. As Beeman points out, the percentage of those actually exercising the franchise was much lower than the percentage of those eligible to vote. Whether that fact testifies to the deference or disinterest of voters in Massachusetts, as Beeman notes, is difficult to
judge. The answer seems to have varied—then as it does now—according to place, time, and issues, with the electorate gradually becoming more independent and more engaged in the middle decades of the eighteenth century for reasons to be discussed in chapters 7 through 10 below.


107. Writing in support of Sidney’s candidacy for Parliament, Penn defended the “Right and Title to your own Lives, Liberties and Estates” and contended that “every man is a sort of little Soveraign to himself.” Also in 1679, Penn urged the principle of “governing on a ballance, as near as possible, of the severall Religious interests.” Penn lamented, as Sidney did, not only the imposition of Anglican beliefs and practices but also the perversion of the public will by the frauds that pervaded and poisoned English electoral politics. Whereas Penn, like Sidney, Locke, and earlier Leveller agitators, believed that the purpose of public life was to find, through the exercise of reason, the common interest, the widespread use of money and alcohol to win voters’ favor incited public participation at the expense of civic virtue. Penn considered “Civil Interest the foundation of Government.” He believed that by encouraging people to engage in hypocrisy as they declared their faith, and in corruption as they cast their votes, English practice submerged the principles of natural right under sordid calculations of personal advantage. Penn warned voters against “ambitious men” and “Prodigal or Voluptuous Persons” and urged them to seek those attuned to the common good: “The Representative of a Nation ought
to consist of the most Wise, Sober and Valiant of the People, not Men of mean Spirits or sordid Passions that would sell the Interest of the People that chuse them to advance their own, or be at the Beck of some great Man, in the hopes of a Lift to a good Employ; pray beware of these.” Penn believed a chasm lay between the narrow self-interest of petty politicians and the virtue of genuinely public-spirited statesmen, and he was equally confident the voting public could discern that gap. The early history of Pennsylvania would test those convictions. Penn, One Project for the Good of England (1679), in Penn, Works, 2 vols. (London, 1726), 1:482; and Penn [Philanglus], Englands Great Interest in the Choice of this New Parliament (London, 1679), 3.


111. Disputes over whether Penn was motivated primarily by his desire to provide a refuge for Quakers and others seeking freedom of conscience, by his desire to establish a form of government free of the corruption endemic to English politics, or by his desire to improve his own economic prospects are impossible to resolve. Penn doubtless hoped to achieve all three goals, which were probably not separable in his own mind. We know
from a letter Penn wrote to Sidney dated October 13, 1681, that Sidney was involved in helping Penn write the founding document of the colony of Pennsylvania. We also know that Penn believed Sidney had told “severall persons” that the final result had deviated from the original plan and yielded “the basest laws in the world, not to be endured or lived under, and that the Turk was not more absolute than I.” Unfortunately, we do not know how—or whether—Sidney replied or whether Penn’s complaint had any basis. See Penn’s letter, and the discussion of the issues involved, in Houston, *Algernon Sidney and the Republican Heritage in England and America*, 232–34.

112. All lands would have to be purchased rather than simply seized from the Indians. Moreover, “all differences between the planters and the natives” must be resolved by a body of twelve mediators, “that is, by six planters and six natives; that so we may live friendly together as much as in us lieth, preventing all occasions of heart-burnings and mischief.” Like John Eliot and Roger Williams in New England, Penn never doubted the humanity or the capacity of Native Americans. In his plans for the colony he sought to secure for them the same rights to develop their land and the same legal protections that settlers would enjoy. Penn’s “Concessions to the Province of Pennsylvania” (1681) is in *Votes and Proceedings of the House of Representatives of the Province of Pennsylvania, 1682–1776*, 6 vols. (Philadelphia, 1752), 1:xxiv–xxvi; and is reprinted in *Colonial Origins of the American Constitution: A Documentary History*, ed. Donald Lutz (Indianapolis, 1998), 266–70.


115. William Penn, *The Great Question to be Considered by the King, and this approaching Parliament...* (London, 1680), 4.


119. Locke’s journal, with his critical commentary on Penn’s Frame of Government, is quoted in Cranston, *John Locke*, 261–62; for other excerpts from Locke’s response to Penn, see Locke, *Letter Concerning Toleration*, xl, 182.


121. It is significant that Penn retained not only his executive authority but his vast land holdings in Pennsylvania. As the proprietor of the colony he retained the feudal right not to be taxed—which would become an issue of enormous symbolic importance in France. In other words, despite his bold claims that the public interest would guide the polity, Penn’s insistence on forcing his own personal interest down his people’s throats sparked the earliest battles in the colony and the effective disbanding of the upper house of the legislature. Less than two decades after Pennsylvania was founded, Penn’s decisions had produced a polity in which all effective legislative authority was vested in the popularly elected Assembly. William Penn, *Papers* 4:283. My analysis of early Pennsylvania politics is indebted to Beeman, *The Varieties of Political Experience in Eighteenth-

122. Of course many fewer than were eligible actually voted, and rates of participation varied as widely as eligibility did. Although the number of voters rarely exceeded 50% of those eligible to vote, particular contests brought surges, local elections often attracted more voters than colony-wide elections did, and the percentage of those eligible who did vote tended overall to rise during the course of the eighteenth century. Rates of turnover among those elected likewise varied across colonies and over time, ranging from under 20% in Pennsylvania to over 60% in Rhode Island. The meaning and significance of voting also varied, just as it did in England and in the homelands of other immigrant groups. These figures come from Beeman, Varieties of Political Experience in Eighteenth-Century America, 22 (on England), 52 (on Virginia), 75 (on Massachusetts), and 103–6 (on New York); the figures on turnover are on 211. See also the table in Fischer, Albion’s Seed, 815.

123. See chapters 2 and 3 above.


125. On Gershom Bulkeley, see pp. 175–76 above.
126. The relation between the legislation enacted by colonial legislatures and British law was contested from the start and never clarified. The colonists from the outset treated their assemblies’ decisions as law; British authorities contended that all colonial legislation was authorized by the monarch’s grace and favor, which could be withdrawn at any time. On this persistent tension, which came to a head only in the 1770s, see Jack P. Greene, *Peripheries and Center: Constitutional Development in Extended Polities of the British Empire and the United States 1607–1788* (Athens, GA, 1986), 12–18, 28–42; and Greene, *The Constitutional Origins of the American Revolution*, 2–18.
Chapter 5

1. Perhaps the most widely known statement of the case for dramatic change is that of Paul Hazard in his still valuable study The European Mind, 1680–1715, trans. J. Lewis May (1935; New York, 1963), xv: “One day, the French people, almost to a man, were thinking like Bossuet. The day after, they were thinking like Voltaire. No ordinary swing of the pendulum, that. It was a revolution.” As Nannerl Keohane points out in Philosophy and the State in France: The Renaissance to the Enlightenment (Princeton, 1980), 12–13, both parts of Hazard’s contrast are almost equally exaggerated.

Scholarship on the Enlightenment is immense: a recent list of judiciously selected titles, limited to secondary works concerning political theory alone, runs to seventy densely packed pages. See The Cambridge History of Eighteenth-Century Political Thought (hereafter CHECPT), ed. Mark Goldie and Robert Wokler (Cambridge, 2006), 830–900. Still rewarding are two classics: Ernst Cassirer’s The Philosophy of Enlightenment, trans. Fritz C. A. Koellen and James P. Pettegrove (1936; Princeton, 1951), a neo-Kantian’s attempt to rehabilitate reason from the critique of Martin Heidegger; and Peter Gay, The Enlightenment: An Interpretation, 2 vols. (New York, 1966–69), which can be read as an equally ambitious attempt to rescue the secular, skeptical, and humane dimensions of eighteenth-century thought from critics such as Theodor Adorno and Max Horkheimer, who denounced the legacy of the Enlightenment as a nightmare of totalitarian technocracy. Other valuable, and more recent, studies include Anthony Pagden, The Enlightenment and Why It Still Matters (New York, 2013), which champions the cause of secular reason against the threats Pagden sees in religion and communitarianism; and Michael L. Frazier, The Enlightenment of Sympathy: Justice
and Moral Sentiments in the Eighteenth Century and Today (Oxford, 2010), which counterposes sympathy and sentiment to scholars’ usual emphasis on reason. Also important are three volumes by Jonathan Israel: Radical Enlightenment: Philosophy and the Making of Modernity, 1650–1750 (Oxford, 2001), which emphasizes the role of skeptics and materialists influenced by Dutch philosopher Baruch Spinoza; Enlightenment Contested: Philosophy, Modernity, and the Emancipation of Man, 1670–1752 (Oxford, 2006), which carries forward Israel’s contention that the principal values of the Enlightenment included not only reason, equality, and popular government, but also atheism, materialism, determinism, and the primacy of self-interest; and Democratic Enlightenment: Philosophy, Revolution, and Human Rights, 1750–1790 (New York, 2011), which carries his analysis of these themes through the early stages of the French Revolution. As will become apparent from my analysis, I consider Israel’s radical Enlightenment only a piece—important as it was—of a much broader and more multifaceted transatlantic phenomenon. Israel focuses primarily on radical thinkers in the Dutch, English, French, and Italian cultural orbits. The thinkers he examines had much less salience in North America than another group of thinkers to whom I will pay more attention.


Given the attention accorded Israel’s analysis of the strand of the Enlightenment that he identifies with democracy, it seems to me important to emphasize the extent to which the only enduring democracy to emerge from the eighteenth century, that of the United States, took shape with almost no contributions from the thinkers Israel identifies
as the central figures in eighteenth-century European thought. Israel’s standard for
democracy, a secular and libertarian direct democracy that rules out the forms of
representative democracy embraced by most figures in the moderate Enlightenment on
both sides of the Atlantic, was rejected by the vast majority of eighteenth-century
thinkers. For that reason most historians of the Enlightenment consider Israel’s claims
for the centrality of the radical Enlightenment, notwithstanding the extraordinary
scholarship on which his arguments rest, an anachronistic analytical synecdoche.
Especially incisive review essays on Israel’s work are Anthony LaVopa, “A New
717–38; and Darrin M. McMahon, “What Are Enlightenments?” *Modern Intellectual

2. Recognition of the limited penetration of enlightened ideas is hardly a recent
development. Classic statements of the case for continental Europe, England, and
America include Robert Darnton, “In Search of Enlightenment: Recent Attempts to
Create a Social History of Ideas,” *Journal of Modern History* 43 (1971): 113–32; J. H.
Plumb, “Reason and Unreason in the Eighteenth Century: The English Experience,” in
Enquiry into the Social Context of Literacy in the Early Modern West* (New York, 1974);
and May, *The Enlightenment in America*. More recent studies include Ferguson, *The
American Enlightenment*; Richard van Dülman, *The Society of the Enlightenment: The
Rise of the Middle Class and Enlightenment Culture in Germany*, trans. Anthony
Williams (London, 1992); and Harvey Chisick, *The Limits of Reform in the
Enlightenment: Attitudes Toward the Education of the Lower Classes in Eighteenth-Century France (Princeton, 1991). For persuasive essays demonstrating the persistence of religious practices, the ways in which various religious denominations accommodated and incorporated enlightenment ideas, and the resistance such reformers often encountered—as much from ordinary people as from elites, as much from Protestants as from Catholics—see James E. Bradley and Dale Van Kley, eds., Religion and Politics in Enlightenment Europe (Notre Dame, 2001).

3. These two French terms express the conviction of many champions of Enlightenment that they were engaged in a project that was both an exercise in philosophical inquiry and something broader than that, a project that would bring to European cultures the illumination of reason through the efforts of writers who were hardly technical or professional philosophers but rather men and (at least toward the end of the eighteenth century) women of letters. Both terms have become so firmly entrenched in English discourse that they do not require translation. Perhaps precisely because the Enlightenment in Great Britain and its colonies remained generally less self-conscious, more moderate, and less committed to the desirability or the possibility of dramatic cultural change, these words—and the German Aufklärer—convey more effectively than do any equivalent English terms the ambition and the self-confidence of many continental partisans of Enlightenment. The popularization of the terms dates at least from the widely read studies of Peter Gay, The Enlightenment, vol. 1, The Enlightenment: The Rise of Modern Paganism (1966; New York, 1977); vol. 2, The Enlightenment: The Science of Freedom (1969; New York, 1977); and his earlier The Party of Humanity: Essays in the French Enlightenment (1954; New York, 1963).
4. This complex relation is captured neatly in the ambivalence of one of the most radical figures of the early Enlightenment, Baruch Spinoza, whom Jonathan Israel describes, with some exaggeration, as “effectively…the first major European thinker in modern times—though he is preceded here by Johan de la Court and [Franciscus] Van den Enden—to embrace democratic republicanism as the highest and most fully rational form of political organization, and the one best suited to the needs of men.” Israel concedes, however, that although Spinoza saw the superiority of democracy as an ideal, in practice he recommended that the people, inclined as they were to excess and therefore likely either to become tyrannical themselves or to acquiesce in the rule of a tyrant, ought simply to obey the existing laws of their nation. Among existing regimes, the “quasi-aristocracy” of post-1688 England stood out as the best available option. To Spinoza, as to other figures in the radical Enlightenment, the risks of democracy in practice outweighed its attractiveness in theory. See Israel, *The Radical Enlightenment*, 14–22, 72–77, 258–62, 270–74. For a judicious discussion of the relation between Spinoza’s skepticism and political reform, see Richard H. Popkin and Mark Goldie, “Scepticism, Priestcraft, and Toleration,” in *CHECPT*, 70–109.


10. That such offices, primarily judicial but to a degree legislative, could be bought and sold occasioned understandable criticism. Montesquieu defended the practice because he deemed it preferable to enhancing even further the power of the monarchy—and the possibility of corruption—by making such offices appointive. By custom, royal decrees became law only when registered by the provincial parlements. A parlement could—and sometimes did—simply ignore such decrees, thereby providing a check against royal absolutism prized by many aristocrats in a nation still rooted in its diverse local traditions.

12. Or did it? Montesquieu also wrote a supplement to the fable that he never published, in which the tale ended with an intriguing twist. After the first king chosen by the Troglodytes died, from his “secret sorrow” over his people’s folly, they selected an equally wise successor, who engaged one of his subjects in an illuminating dialogue about the fate of virtue under monarchy. Should the king continue to exemplify virtue and resist the temptation to value wealth himself and reward those who have it, then all need not be lost. The wise citizen advised the new king that “it will be you alone who decides whether wealth is or is not to be harmful to your people. If they see that you would rather have wealth than virtue, they will soon fall into the same habit; in this matter your attitude will determine theirs.” As always, “the foundation of your people’s virtue” is, as Shaftesbury also observed, “their education. Change this education, and those who are not bold enough to be criminals will soon be ashamed of being virtuous.” The king should strive, as the citizen saw it, to make both poverty and extravagance “equally shameful.” The king, persuaded, announced to his people, “you are about to acquire the use of riches; but I declare to you that if you are not virtuous you will be one
of the unhappiest nations on earth.” As things stood, the king’s status derived from his virtue, but if his subjects sought “to distinguish yourselves only by riches,” then the king would have to do the same in order to preserve their respect. The king’s closing words to his people suggest why Montesquieu, the more or less loyal subject of a monarch living in the unrivaled splendor of Versailles, chose to leave these pages unpublished: “At present it is within myself that I find all my riches; but then you would have to wear yourselves out to make me rich, and would not benefit from the wealth which you valued so highly: it would all go into my treasury. Oh Troglodytes! there could be a noble bond between us: if you are virtuous so shall I be; if I am virtuous, so will you be.” Applied to France, the converse stung; Montesquieu’s prudence dictated discretion.

But perhaps Montesquieu considered a more straightforward critique of the avarice and corruption of the French—monarchy, aristocracy, and common people alike—less effective than the image of the weeping Troglodyte king contemplating the uncertain fate of his once virtuous nation. The parallel uses of virtue in the novel, wielded by the eunuchs in the seraglio as a weapon to shame Usbek’s wives into feigning devotion and embodied in the Troglodytes’ benevolent social order, showed Montesquieu’s awareness that ideas and practices have different meanings and significance in different conditions. The value of the fable lay in its open-endedness; the consequences of shifting from self-government to monarchy remained fuzzier in the published book than in the unpublished supplement. Montesquieu, *Persian Letters*, ed. and trans. Christopher J. Betts (New York, 1973). The fable of the Troglodytes is on 53–61, Montesquieu’s unpublished supplement on 286–87; other quotations are taken from 166, 219. Michael Sononscher, *Before the Deluge: Public Debt, Inequality, and the Intellectual Origins of the French Revolution* (Princeton, 2007),
contains a detailed discussion of the continuity and change in Montesquieu’s ideas concerning the implications of luxury for government on 95–172.


17. On the forms of despotism practiced in families as well as in slave societies, see Hulliung, *Montesquieu and the Old Regime*. But as Shklar points out in *Montesquieu*, 97–98, Montesquieu’s commitment to geographical determinism complicates his otherwise straightforward judgment that slavery is always and everywhere evil.
18. Only those voters willing to state their preference in public, as citizens did in Athens, possessed sufficient virtue to participate in electoral politics. Those seeking anonymity had surrendered their autonomy to scoundrels: “by rendering the suffrages secret in the Roman republic, all was lost.” Montesquieu, *The Spirit of the Laws*, ed. Franz Neumann, trans. Thomas Nugent (1748; New York, 1949), 12; and see Richter, *The Political Theory of Montesquieu*, 336n22.

19. “The constitutions of Rome and Athens were excellent—the decrees of the senate had the force of laws for the space of year, but did not become perpetual till they were ratified by the consent of the people.” Montesquieu, *The Spirit of the Laws*, 13, 15.

20. The French term *moeurs*, central to Montesquieu and later to Rousseau and Tocqueville, presents a challenge to all translators. Sometimes it is best rendered by the English word “customs,” at other times by “manners,” at other times by “morals.” It refers to the bundle of practices that constitute a culture and give it a distinctive quality related to, but not reducible to, its laws, religion, and ethical convictions.


24. Such a representative government Montesquieu judged superior to ancient democracies, which suffered from “one great fault”: “the people had a right to active resolutions, such as require some execution, of which they are absolutely incapable” as a mass. “They
ought to have no share in the government but for the choosing of representatives, which is within their reach.” He declared that “few can tell the exact degree of men’s capacities,” yet all are “capable of knowing in general whether the person they choose is better qualified than most of his neighbors.” Montesquieu, *The Spirit of the Laws*, 307–11, 154–55.

25. Duty as Montesquieu conceived of it took diverse forms, including religious and ethical virtue as well as political virtue, as he was at pains to indicate to critics who misunderstood him. Although as critical of Catholicism as he was of other forms of absolutist rule, atheism never tempted him personally, and he appreciated the instrumental value of religion as a spur to virtue. Israel discusses the accusation that Montesquieu was infected by the spirit of Spinozism, and notes Montesquieu’s explicit and detailed refutation of the charge and avowal of his own Christian faith, in *The Radical Enlightenment*, 12.


29. D’Alembert explained the end of the Roman republic by linking Montesquieu’s *Persian Letters* and his *Considerations*: after Rome’s citizens became accustomed to imperial
luxury, they “felt the necessity” of “subjecting themselves to masters, once they felt their liberty to be a burden”—precisely the logic of the fable of the Troglodytes. D’Alembert’s eulogy is reprinted in Oeuvres Complètes de Montesquieu, ed. André Masson, 3 vols. (Paris, 1950–1955), vol. 1; see also Richter, The Political Theory of Montesquieu, 55.

30. Catholics in France as well as Christians elsewhere in Europe adapted to the scientific revolution and the Enlightenment without adopting a secular or skeptical orientation. See the essays in Bradley and Van Kley, Religion and Politics in Enlightened Europe. On the transformation of the Bible during the eighteenth century, when in response to radical criticism it was transformed for many readers from a source of religious truth to a cornerstone of Western culture, see Jonathan Sheehan, The Enlightenment Bible: Translation, Scholarship, Culture (Princeton, 2005).


32. D’Alembert, Preliminary Discourse, 22. If d’Alembert’s Preliminary Discourse provides one authoritative statement of the editors’ mission, a crucial passage in Diderot’s article on the topic “encyclopedia” shows how carefully he balanced confidence in reason against his awareness of its limits. In an encyclopedia, which must be the work of multiple contributors because no individual can encompass all knowledge, one must attempt “to explain the reasons that lie at the roots of things,” at least “when these exist.” Likewise one “must assign causes when they are known, indicate effects when these are certain,” and “resolve difficulties by the direct application of fundamental principles.” It is important not only to “expose errors” and “discredit prejudices” but to “demonstrate truths,” at least when those options are available. When reasons, causes, effects,
fundamental principles, and truths elude us, we should be content “to doubt and to wait.” Diderot warned against replacing one form of dogmatic certainty with another. Yet he remained confident the book would do its work “promptly upon good minds” and more subtly, “secretly and unobtrusively, upon all minds.” Eventually the Encyclopedia would generate “the power to change men’s common way of thinking.” Denis Diderot, “Encyclopedia,” from The Encyclopedia, in Rameau’s Nephew and Other Works, trans. Jacques Barzun and Ralph H. Bowen (Indianapolis, 1956), 294.


35. In his Preliminary Discourse, D’Alembert had surprisingly little to say about politics, perhaps because he considered it among all the arts and sciences “the most difficult study of all.” But its difficulty did not deter him from offering a miniature version of social contract theory. He rooted political authority in the original experience of men prior to the origins of government, where the weak come to know the injustice of rule by the strong. “Thus the evil we experience through the vices of our own species produces in us the reflective knowledge of the virtues opposed to these vices, a precious knowledge of
which we might perhaps have been deprived if a perfect union and equality had prevailed among men.” Our understanding of natural law thus originates not in God’s will, as Locke believed, but in conscience, which d’Alembert later described as “a result of natural law and of our conception of good and evil. One could call it evidence of the heart, for, although it differs greatly from the evidence of the mind which concerns speculative truths, it subjugates us with the same force.” D’Alembert, *Preliminary Discourse*, 36, 12–13, 44–45, 26.

36. Although the phrase “laissez-faire, laissez-passer” did not originate with the physiocrats, it became the slogan associated with their campaign to reorganize the French economy, and French politics, by circumventing feudal arrangements and counter-productive policies of taxation and clientage. In order to bypass large landowners, small farmers, merchants, clerics, and provincial parlementaires, all of whom resisted the physiocrats’ repudiation of centuries-old arrangements protecting the French people from famine, it was necessary to rely on top-down decision-making. Early efforts to implement these doctrines, facilitated by rare soul-searching following France’s defeat by Britain in 1763, led to experimentation along physiocratic lines under the ministry of the duc de Choiseul. Early efforts to liberalize the grain trade in the late 1760s were stymied by two developments, the return of famine at the end of the decade and the critique of physiocratic theory advanced the abbé Galiani in his *Dialogues on the Grain Trade* (1770), which together persuaded prominent philosophes such as Voltaire to renounce Quesnay’s ideas. On the physiocrats, see Philippe Steiner, *La ‘science nouvelle’ de l’économie politique* (Paris, 1998); Jean-Claude Perrot, *Une histoire intellectuelle de l’économie politique: XVIIe–XVIIIe siècle* (Paris, 1992); T. J. Hochestrasser,
“Physiocracy and the Politics of Laissez-Faire,” in CHECPT, 419–42; and Sonenscher, Before the Deluge, 173–222.

37. In Turgot’s words, “manners are gradually softened, the human mind takes enlightenment, separate nations draw nearer to each other, commerce and policy connect at last all parts of the globe”—in sum, humanity “marches always, although slowly, toward still higher perfection.” Anne-Robert-Jacques Turgot, “A Philosophical Review of the Successive Advances of the Human Mind,” in Turgot on Progress, Sociology and Economics, ed. and trans. Ronald L. Meek (Cambridge, 1973). So deep was Turgot’s commitment to the idea of perfectibility that he broke from his friend David Hume over the latter’s skeptical assessment of the idea. On the Turgot-Hume relationship, see Richard H. Popkin and Mark Goldie, “Scepticism, Priestcraft, and Toleration,” 88–89. In Turgot’s article “Fondations” in the seventh volume of the Encyclopedia, he denounced the tendency of France’s traditional corporate bodies to defend group interests against the good of the nation. The rights of individual citizens, by contrast, are “to be respected as sacred by society as a whole.” Turgot’s individualism extended well beyond Locke’s. The rights of citizens, as he conceived of them, “exist independently of society; they form its necessary elements.” Individuals enter society only “to place themselves, with all their rights, under the protection of these same laws to which they sacrifice their liberty. But private bodies [corps particuliers] do not exist of themselves nor for themselves; they have been formed for society; and they must cease to exist the moment that they cease to be useful.” Turgot, “Fondations,” in Encyclopédie, ou Dictionnaire raisonné des sciences, des arts et des métiers… (Paris, 1751–1765), 7:75. Turgot’s Reflexions sur la formation et la distribution des richesses (1766), in which he distinguished between the

38. Because the mature economic conditions necessary for free trade were not yet in place, Turgot considered it necessary at times to provide public employment, support food imports, revise taxes temporarily, and prevent land owners from removing tenants during the crisis. Those steps succeeded in mitigating the worst effects of the famine.

39. Turgot tried to explain his rationale in a treatise intended for widespread circulation. In the words of his contemporary François Métra, Turgot adopted “the tone of a father who explains to his children the measures he has taken for their welfare and who desires that their submission be as enlightened as it is willing.” But that paternal confidence proved misplaced, as it so often does. See Emma Rothschild, *Economic Sentiments: Adam Smith, Condorcet, and the Enlightenment* (Cambridge, 2001), 17–39; and Keith Michael Baker, *Condorcet: From Natural Philosophy to Social Mathematics* (Chicago, 1975), 55–64.

40. On Turgot’s and Condorcet’s elaborate plans for a system of assemblies ranging from the local to the national—assemblies designed to be consultative rather than determinative—see Baker, *Condorcet*, 56–57, 193, 208–14, and the discussion of these issues in chapter 11 below.


43. Diderot spelled out the implications of the general will for ethics with little more precision: “the general will in each individual is a pure act of understanding that reasons in the silence of the passions about what man can demand of his fellow man and about what his fellow man can rightfully demand of him.” Diderot, “Natural Rights,” in *The Encyclopedia*, 170–75. If that passage suggests that Diderot remained content with some version of Shaftesbury’s moral sense, his posthumously published *Rameau’s Nephew* unsettles that conclusion. In that dialogue, Diderot presented himself debating a cynical young atheist who disputed Diderot’s contention that helping others brings happiness. For whatever reason—perhaps because he had been living with musicians and poets—the young man confessed that he lacked whatever internal sense Diderot thought would generate satisfaction from benevolence. In other later works, Diderot presented challenges to the idea of a moral sense, but he always returned to his observation that people take pleasure in doing good to others. He countered the psychological egoism of the radical philosophe Helvétius with another formulation of his conviction that only a few deviant individuals, such as the “violent reasoner” he presented in the essay “Natural Rights,” lack the moral sense, so we should not reason from exceptions to a general rule. But, outside of these scattered assertions, Diderot did not develop a coherent theory of ethics or politics. He preferred writing fiction and dialogues to treatises for a reason: he found the play of conflicting positions, and the chance to play devil’s advocate, more rewarding than the elaboration of philosophical arguments. In that preference, at least, he was consistent. On Diderot’s ethics and his other late writings, including the “Conversation of a Philosopher with the Maréchale de ***” of 1774, see Jerome Schneewind, *The Invention of Autonomy: A History of Modern Moral Philosophy*

45. On the 1770 decree against d’Holbach, see Schneewind, *The Invention of Autonomy*, 413.

46. In *De l’esprit* (1758), Helvétius vociferously denied the existence of God and left no room for an eternal reward to prod individuals toward virtue. That was the job of the legislator: “It is plain that morality is only a frivolous science if one does not blend it with politics and legislation.” Helvétius, *De l’esprit* (1758; Paris, 1973), 2:xv, 139. In his other major work, the posthumously published *De l’homme* (1772), Helvétius declared that sociability springs not from any “innate quality” such as the moral sense or an inner light or divine spark; instead “The love of men for their brethren is the effect of the necessity of mutual assistance, and of an affinity of wants, dependent on that corporeal sensibility, which I regard as the principle of our actions.” Motivating virtue requires laws that penalize vice and reward virtue, which Helvétius defined as “the desire for the general happiness,” thereby shifting men’s habits although still appealing to their desire to maximize their own experience of pleasure. In such a system, he predicted, republican government securing stable property relations would promote, through appeals to the universal human quality of vanity, sufficient “mutual assistance” to prevent the equally universal impulse to dominate from defining all social relations. Helvétius, “Sociability,” in *A Treatise on Man: His Intellectual Faculties and His Education*, ed. and trans. W. Hooper, 2 vols. (London, 1810), 1:124–40; quotations from 134, 140.

48. The feudal system, according to Holbach, sanctified hierarchy as God’s will and left the ordinary people “crushed and degraded.” Yet even absolute monarchs were secure only when commanding “happy subjects.” For that reason rulers must listen to the people or their representatives, “citizens more enlightened than the others,” otherwise the nation could be manipulated by “ambitious and dishonest” individuals, such as Guise in France or Cromwell in England, who brought “frightful convulsions” under the “pretext of preserving public welfare.” Holbach advised instead “a constitution that would allow each order of the citizens to have representatives and to speak in the assemblies dedicated to public welfare.” Holbach shared with Turgot and Condorcet, among other philosophes, a distinctive view of representative government. He argued that distinct social orders, including the clergy, the nobility, the magistrates, the merchants, and the farmers, required their own representatives because members of these orders, self-interested as humans always are, can never know the interests of the others. Only a king could transcend particular interests and represent the interests of the nation as a whole. In his book *L’Ethocratie, ou le gouvernement fondé sur la morale* (1776), Holbach called for a monarchy advised by a representative assembly of the sort he outlined in the *Encyclopedia*. According to Holbach, an absolute monarch is “the unique representative of his nation.” In limited monarchies, by contrast, sovereign power is shared, as it is between the king and parliament in Britain. In France, the Estates General consisted of the nobility and the clergy. The third estate was “destined to represent the people,” but, Holbach noted drily, “these national assemblies have been discontinued since the year
1628.” Why did royal absolutism arise in place of the Estates General? Holbach’s history of French government opened with the invasion of “happy brigands” from cold northern regions. These conquerors treated the natives “as a kind of cheap cattle.” Their heritage of domination had persisted in the “pretension of the nobility,” who continued “to regard their fellow citizens as vanquished slaves.” Slowly these pagan warriors embraced the Christianity of their underlings, which led to the emergence of a powerful clergy that eventually joined the monarch and the nobility as the people’s representatives. Holbach, “Representatives,” in *The Encyclopedia*, 214–22; and see Alan C. Kors, *D’Holbach’s Coterie* (Princeton, 1976).


50. If enlightened despotism was not the answer to the questions of government, what was? Voltaire’s articles on law and the state in his *Philosophical Dictionary* are amusing, but they offer only equal-opportunity indictments of legal codes. What about forms of government? “The ants,” Voltaire observes, are “an excellent democracy,” since everyone is equal and each works “for the happiness of all,” but beavers are even better builders. Monkeys are “mountebanks” and thus the species most resembling humans, particularly in “our gift of imitation, the triviality of our ideas, and our inconstancy.” In answer to the question “which is the best?” in his entry “States, government,” Voltaire offers only a parody of Montesquieu, a fictional dialogue between two educated Indians who observe how hard it is to explain the fall of Rome, the keys to virtue and honor, and the link between climate and government. They agree that few republics have existed,
and even fewer have prospered, because “men seldom deserve to govern themselves.”

The dialogue closes as they resolve to keep looking for the ideal state, where people obey
the laws, a place neither of them has ever seen. Voltaire, *Philosophical Dictionary*, 42,

Striking a balance between Voltaire’s condemnation of religious doctrine and
practice, on the one hand, and his own frequently expressed, albeit pared-down, theism,
on the other, is challenging. For a comprehensive study of the first two centuries of
controversy concerning his religious ideas, see René Pomeau, *La religion de Voltaire*,

51. On these issues, see Beales, *Enlightenment and Reform in Eighteenth-Century Europe*.


53. Voltaire to d’Alembert, October 16, 1765, in *Oeuvres complètes de Voltaire*, vol. 43,

54. On Rousseau’s life, the best sources are his *Confessions* (1781), ed. and trans. J. M.
Cohen (London, 1953), quotations from 34, 40; the fine two-volume biography by
Maurice Cranston, *Jean-Jacques: The Early life and Work of Jean-Jacques Rousseau,
1712–1714* (New York, 1983) and *The Noble Savage: Rousseau, 1754–1762* (Oxford,
1991); and the classic study by Jean Starobinski, *Jean-Jacques Rousseau: Transparency


the wonders of music along with other mysteries by Mme. de Warens, the precocious
Rousseau wrote an opera entitled *La Découverte du nouveau monde*, inspired perhaps by the departure of his uncle Bernard for South Carolina. The libretto offered an early version of the figure of the “noble savage” and the sentimentalizing of nature later considered characteristic of Rousseau’s mature work. While a member of the Mably household, Rousseau also produced his first treatise on education. This Locke-like plea to replace Greek and Latin with subjects linked to pupils’ experience, reinforced by an ingenious system of rewards and punishments later elaborated in Rousseau’s *Emile*, was no doubt inspired by reflections on his own demoralizing experience of failure in tutoring his young pupils.


59. During this period Rousseau also provided the research notes necessary for M. and Mme. Dupin to compose their three-volume critique of Montesquieu’s *Spirit of the Laws*, a tome in which they defended an odd mixture of royalist and bourgeois positions including the necessity of absolute monarchy, the desirability of equal rights for women, the magical power of commerce, and the indispensability of the tax-farming from which they made their fortune. Although dependent on his patrons’ largesse and thus compelled to contribute to their projects, Rousseau soon made clear that he shared few of their ideas.

60. It is worth noting that this question, stated in these words by the Academy of Dijon, is often rendered in the way that Rousseau himself rendered it in the opening paragraph of his essay: “Has the restoration of the sciences and arts tended to purify or corrupt morals?” By introducing “or corrupt,” Rousseau was already signaling the dramatic departure he had in mind. On this point see the editor’s notes to Rousseau, *The First and*

61. In light of the intellectual trajectory Rousseau followed from that moment, which carried him in the opposite direction from Diderot’s growing confidence in science and progress and his increasingly materialist skepticism, an almost classical symmetry attends the circumstances of Rousseau’s illumination en route to visit his friend. His account of this life-changing incident shows the distance he had traveled from his early affinity with ancient stoicism. Whether or not his new sensibility deserves the vexed label “romantic,” its rapturous excess demonstrates why variants of the adjective “Rousseau-esque” soon entered most European languages to convey the onset of irresistibly powerful emotions almost beyond expression. Rousseau to Malesherbes, January 12, 1762, Correspondance complète de J.-J. Rousseau, ed. and trans. R. A. Leigh, 14 vols. (Geneva, 1965-1995), 10:24-29; and see the introduction by Roger D. Masters to Rousseau, Social Contract, 8.

The passage begins as follows: “if anything resembled a sudden inspiration, it is what that advertisement stimulated in me: all at once I felt my mind dazzled by a thousand lights, a crowd of splendid ideas presented themselves to me with such force and in such confusion, that I was thrown into a state of indescribable bewilderment. I felt my head seized by a dizziness that resembled intoxication. A violent palpitation constricted me and made my chest heave. Unable to breathe and walk at the same time, I sank down under one of the trees in the avenue and passed the next half hour in such a state of agitation that when I got up I found that the front of my jacket was wet with tears, although I had no memory of shedding any.”

63. It is striking that Rousseau referred to Voltaire as “famed Arouet,” choosing to avoid Voltaire’s pen name because it symbolized to him the abandoning of artistic authenticity in the quest for mere celebrity. See Rousseau, *First Discourse*, 53, 72–73n41. On Rousseau’s critique of Mandeville’s myopic emphasis on self-interest, which Rousseau thought blinded Mandeville to the “social virtues” that grew from pity, see Pagden, *The Enlightenment*, 92–95.

64. Rousseau, *First Discourse*, 36, 51; and cf. 46–47.

65. Rousseau’s self-conscious adoption of a virtuous simpler life has struck many commentators as a hollow attempt to justify his abandonment to a state orphanage of the five children he and Thérèse had together. Rousseau justified this step both as necessary because of his poverty and as a reflection of his belief that Plato was right and children should be raised in common, by the state. See Cranston, *Jean-Jacques*, 239–61; and d’Alembert, “Preliminary Discourse,” 103–5. For the fullest account of the process by which Rousseau gradually became estranged from the rest of the philosophes, see Hulliung, *The Autocritique of Enlightenment: Rousseau and the Philosophes* (Cambridge, 1994).

66. On the contrast between Rousseau’s two ideals, the rustic simplicity of family life in a Swiss mountain village and the austere, disciplined civic republicanism of Sparta, see Judith Shklar, *Men and Citizens: A Study of Rousseau’s Social Theory* (Cambridge, 1969), who points out that the question of whether such ideals can be reconciled has been at the heart of modern political theory.

the Book of Genesis and the Theology of Commercial Society,” *Modern Intellectual History* 3, no. 1 (2006): 85–94. The Second Discourse opens with Rousseau warning his readers to disregard “facts” and “history.” Rousseau surely wanted to appease the censors; his account of human development could not be reconciled with Genesis. He might also have wanted to refrain from declaring whether his portrait of the state of nature should be taken as speculation or as an accurate account premised on evidence from existing Native American or African cultures. Rousseau, *Second Discourse*, 193–200.

68. In his notes to the *Second Discourse*, Rousseau wrote, “man is naturally good; I believe I have demonstrated it. What then can have depraved him to this extent, if not the changes that have befallen his constitution, the progress he has made, and the knowledge he has acquired?” Even if we admire the achievements of modern society, “it is nonetheless true that it necessarily brings men to hate each other in proportion to the conflict of their interests, to render each other apparent services and in fact do every imaginable harm to one another.” Throughout the *Second Discourse* Rousseau refers to reports of American Indian cultures, and he concludes by invoking Montaigne’s essay “On Cannibals.” On the other hand, Rousseau deliberately and repeatedly used the evasive modifier “perhaps” in relation to the state of nature: “for it is no light undertaking to separate what is original from what is artificial in the present nature of man, and to know correctly a state which no longer exists, which perhaps never existed, which probably never will exist, and about which it is nevertheless necessary to have precise notions.” *Second Discourse*, 92–93; and cf. 108–41, 180–81. The qualifier might suggest either that humans—like all other animals—developed gradually from a primitive condition, that the state of nature was
possible but unlikely historically, or that it serves only as a fictional, heuristic, or mythic device. On these issues, and the ways in which diverse readings of Rousseau’s “perhaps” have shaped competing interpretations of his oeuvre, see Christopher Kelley, “Rousseau’s ‘Peut-être’: Reflections on the Status of the State of Nature,” *Modern Intellectual History* 3, no. 1 (2006): 75–83.

69. Voltaire to Rousseau, August 30, 1755, in *Correspondance complète de J.-J. Rousseau*.

70. Rousseau explicitly rejected Hobbes’s bleak portrayal of life in the state of nature, but he conceded that the pity operating among savages evaporated through a natural, inevitable, and irreversible process set in motion by the workings of both instinct and reason, the engine of human perfectibility. Rousseau, *Second Discourse*, 141. See also Keohane, *Philosophy and the State in France*, 429–32.


77. We cannot understand Rousseau’s writings historically unless we bracket Robespierre and Napoleon, Burke and Carlyle, to say nothing of Hitler and Stalin. On this much-discussed point, see the judicious treatment in Starobinski, *Jean-Jacques Rousseau*, 29–30, 382n20.

Philosophy of Rousseau (Princeton, 1968), 3–105. Masters considers Emile the best entry into Rousseau’s overall philosophy as well as the source of his clearest and most explicit arguments concerning education and religion, which are presented directly in the section of Emile entitled “Profession of Faith of the Savoyard Vicar,” 266–313. For a cogent brief analysis of Rousseau’s ethical philosophy, see Schneewind, The Invention of Autonomy, 470–82. Rousseau’s concept of internalized norms of course illustrates for some contemporary readers the rationale behind modern regimes of oppressive surveillance examined by Michel Foucault, a reading that relies implicitly on naïve conceptions of the desirability and possibility of a life without discipline.

79. Rousseau, Emile, 235, 289–90; see also 233–36 for the relation between the experience of friendship and the development of an ethical sensibility, and the relation between morality and justice: “Those who want to treat politics and morals separately will never understand anything of either of the two.”

80. Emile is the story of an isolated child growing up in a world largely without politics. His development mirrors the transformation of society from the state of nature to the degraded state of civilization. His education counteracts that tendency and teaches Emile how to transmute the primitive impulse of pity into a mature ethic of reciprocity, thereby keeping at bay the fatal danger of self-love. Rousseau’s paeans to the innocence of childhood and his celebrations of play and reverie reversed traditional views of children as miniature adults. His portraits of women, by contrast, merely reinforced male dominance and helped usher in a new, romantic ideal of swooning women dependent on their fathers, lovers, and husbands. The political implications of the tutor’s plan remain opaque until he briefly discusses “the science of right” in the concluding pages.


88. Rousseau was restating one of the crucial arguments of the *First Discourse* that Diderot resisted. Although that disagreement was only one of many sources of their growing personal disaffection, Diderot’s rejection of Rousseau’s historicist argument in “Political Economy” was perhaps among the reasons he printed another article, taken from the writings of Nicolas-Antoine Boulanger, under the heading “Political Oeconomy” in the tenth volume of the *Encyclopedia*. On this issue see the detailed analysis in Robert Derathé, *Jean-Jacque Rousseau et la science politique de son temps* (Paris, 1979), esp. 248–94.


91. For an insightful discussion of these issues, see the treatment of Rousseau and democratic theory in Nadia Urbinati, Representative Democracy: Principles and Genealogy (Chicago, 2006), 6–16, 60–100. As she points out, those who treat Rousseau as having shown the impossibility of democracy in any context other than a simple rural village have tended to divide into two camps. On the one hand, “realists” study how elites take and hold power—how they actually govern—in so-called “democracies.” On the other hand, self-designated democratic theorists construct visionary schemes, versions of a utopian participatory democracy that, although attractive, make all other versions of representative government seem either second-best or utterly unsatisfactory. This condition, I believe, has sapped the energy from democratic reform movements in the United States and western Europe for the last half century. Although I have some disagreements with Urbinati’s analysis of Rousseau’s writings on democracy, I agree with her diagnosis of the state of contemporary democratic political theory. On this issue, see also C. Girard, “Jean-Jacques Rousseau et la démocratie deliberative: bien commun, droits individuels et unanimité,” Lumières 15 (2010): 199–221.
92. As astute translators have pointed out, Rousseau not only had an alternative that lacked the ambiguity of his chosen formulation (viz., the French verb “naisser,” to be born); he also employed that alternative when he wanted to avoid the ambiguity he preferred for the opening of the book. Cf. the discussion of this question by Masters in *On the Social Contract*, 10–11, 36n18, explaining his rendering of the sentence as “Man is/was born free”; and the discussion in the long-standard English translation, apparently based on an anonymous eighteenth-century version, edited by J. D. H. Cole, *The Social Contract and the Discourses*, now further revised and expanded by J. H. Brumfitt and John C. Hall (1913; London, 1973), 349n2.


96. Madison identified a similar problem; for his solution, see chapters 8 and 9 below.


98. Rousseau’s emphasis on the generality of the general will and his anxiety about the negative consequences of individualism and partial associations, although sometimes
overblown by his critics, are real enough. Why did they matter so much to him? Some interpreters have emphasized the psycho-dynamics of Rousseau’s own insecurity and the paranoia of his final years. Alternative explanations focus on the longstanding Catholic and French traditions of locating authority in God or in the mystical body of Christ, or in scientific exaltations of Nature, or in philosophical paeans to Reason, or in the French veneration of the semi-divine figure of the King—anywhere but in the competing wills of individuals, which would be human, idiosyncratic, and perhaps irrational. The alternative of establishing political legitimacy through human volition, rooted in Augustine’s appropriation of Cicero’s and Seneca’s voluntarism for his version of Christian political theory, was deepened in the political thought of Nicolas of Cusa but reached maturity only in Locke’s Second Discourse, where civil society originates in the free choice of individuals. See Starobinski, Jean-Jacques Rousseau; and Patrick Riley, The General Will before Rousseau (Princeton, 1986).

99. Rousseau’s letter to Mirabeau is quoted in Keohane, Philosophy and the State in France, 443. See also her discussion of this issue on 460–63, which depends on the seminal work of Patrick Riley in Will and Political Legitimacy and The General Will before Rousseau. See also Riley’s discussion of these thorny issues in his article “Social Contract Theory and Its Critics,” in CHECPT, 347–75; and cf. Martyn P. Thompson, “The History of Fundamental Law in Political Thought from the French Wars of Religion to the American Revolution,” American Historical Review 91, no. 5 (December 1986): 1103–28; and Masters, The Political Philosophy of Rousseau, 306–9. Rousseau’s attempt to remove legitimacy from faulty individual wills and locate it in the ethical ideal of the general will has struck many commentators as oppressive, others as necessitating direct
democracy that would engage all citizens, all the time, in political activity. For the reasons that Keohane, Riley, Thompson, and Masters make clear, I believe both judgments are mistaken.


103. Only the island nation of Corsica, Rousseau concluded, met the criteria for establishing a democracy, and he sketched the beginnings of a constitution for Corsica in 1769, a project he never completed or published. Yet when he was asked, late in life, to come to the island and serve as its legislator, he declined, explaining that his personal constitution made him ill-suited to a life of political engagement rather than contemplation. Cf. Rousseau, *On the Social Contract*, 75; and Rousseau, *Confessions*, 598–602.


107. Building upwards from the local level to the national in Poland would require making the decentralization of authority more systematic. Individuals could connect more effectively with officials in their own towns than in the distant capital, and the regional

108. Rousseau, *Constitutional Project for Corsica*, an incomplete and unpublished manuscript, in *Rousseau: Political Writings*, 277–330. See also James Miller, *Rousseau: Dreamer of Democracy* (New Haven, 1984), 127–31. Miller provides a forthright account of Rousseau’s plans for Poland and Corsica, even though the evidence he presents from the plans quite clearly contradicts his own broader argument concerning Rousseau’s preference for direct democracy and his ostensible distrust of representation.


110. Rousseau, *Second Discourse*, 80. See also, on Fabri’s machinations, Jules Vuy, *Origine des idées politiques de Rousseau*, 2nd ed. (1889; Geneva, 1970); and on Rousseau’s


112. Rousseau’s Discourses had made clear why he considered individuals of his day capable of civic virtue, yet unlikely to achieve it. Encouraging them to participate on a daily basis might merely heighten their commitment to their own narrow interests rather than broadening their understanding of the general will. In Emile he showed how difficult it would be, in the corrupted conditions of a culture driven by egocentrism and oriented toward competition, to educate even a single individual to a life of virtue. Viewed in light of those works, the moderation of Rousseau’s recommendations for political reform and his preference for a constitutional democracy “tempered” by reliance on elected assemblies should come as no surprise. Rousseau, architect and champion of the abstract ideal of the general will, believed that goal was most likely to be achieved in practice not through a “pure” democracy—suitable only to gods—but through the institutions of representative democracy. This was the means best suited to lubricating the inevitable frictions of politics to approximate as nearly as possible the ethical and political ideal he designated the general will. Rousseau, Second Discourse, 79, 81–82, 85; see also Rosenblatt, Rousseau and Geneva, 132–35; and on the more general question of the reasons why Rousseau resisted the idea of representatives in the Social Contract but elsewhere endorsed the idea of delegates, see the formulations in Urbinati, Representative Democracy, 65–100; and Sonenscher, Before the Deluge, 230–39.

114. The two thinkers did have one thing in common: just as Rousseau was the least characteristic figure of the French Enlightenment and its most searing critic, so Hume—although he ranks today as the most influential eighteenth-century Scottish philosopher—was equally out of step with his British contemporaries. In fact, more because of his atheism and his philosophical skepticism than his cultural and political conservatism, Hume was something of a scandal in eighteenth-century Britain. David Hume, *Enquiry concerning the Principles of Morals*, in Hume, *Enquiries concerning Human Understanding and concerning the Principles of Morals*, ed. L. A. Selby-Bigge, 3rd ed. rev., ed. P. H. Niddich (Oxford, 1978), 2:270; see also David Miller, *Philosophy and Ideology in Hume’s Political Thought* (Oxford, 1981), 120.

115. On Hume’s politics, see Duncan Forbes, *Hume’s Philosophical Politics* (Cambridge, 1975), which shows how and why Hume distanced himself from the Whigs’ principles and program without thereby becoming a Tory; and Miller, *Philosophy and Ideology in Hume’s Political Thought*, who demonstrates the links between Hume’s skepticism and his political writings and shows that he can be placed within either the “liberal” or “conservative” traditions only by ignoring crucial aspects of his thought and its complex development over time.
116. David Hume, “Idea of a Perfect Commonwealth” (1752), in Hume, Political Essays, ed. Knud Haakonssen (Cambridge, 1994), 221–33. This edition is particularly helpful, since Haakonssen’s notes clarify the revisions Hume made over the years, which are crucial to understanding the development of his political thought. Forbes, Hume’s Philosophical Politics, 134–36, stresses the importance of Hume’s revisions and shows how they complicate efforts to disentangle his aspirations to provide a “science of politics” from his clear engagement with the changing political developments of his day, the “vulgar Whiggism” that he grew to detest by the time of his death in 1776.


123. David Hume, “That Politics May Be Reduced to a Science” (1741) in Political Essays, 5.


129. Douglass Adair, “‘That Politics May Be Reduced to a Science’: David Hume, James Madison, and the Tenth *Federalist*,” *Huntington Library Quarterly* 20, no. 2 (June 1957): 343–60, is among the most widely cited pieces of scholarship on the Constitution and the process of ratification. Cf. my discussion of Madison in chapters 9 and 10 below.

130. The required rotation in office that Harrington stipulated was, according to Hume, “inconvenient,” and its agrarian law “impracticable.” The excess power lodged in its Senate, Hume warned, “provides not a sufficient security for liberty, or the redress of grievances,” because the Senate could quash legislation before it was ever even debated by the people’s representatives in the legislature. Readers familiar with Hume’s essays would expect next a restatement of his favorite refrain, with which, in fact, the essay begins: it is never wise to “tamper” or “try experiments” with established institutions of government. David Hume, “Idea of a Perfect Commonwealth” (1752), in *Political Essays*, 221–33.

Theory (Ithaca, 1985), 189–201; and John B. Stewart, Opinion and Reform in Hume’s Political Philosophy (Princeton, 1992).


134. See Teichgraeber, “Free Trade” and Moral Philosophy, 84.

135. Fletcher quoted in Nicholas Phillipson, “The Scottish Enlightenment,” in Porter and Teich, The Enlightenment in National Context, 23; see also Istvan Hont and Michael Ignatieff, eds., Wealth and Virtue: The Shaping of Political Economy in the Scottish Enlightenment (Cambridge, 1983); and Richard B. Sher, The Enlightenment and the Book: Scottish Authors and Their Publishers in Eighteenth-Century Britain, Ireland, and America (Chicago, 2006). One illustration of the shift toward commerce and culture is the chapter entitled “Of Political Society” in Hume’s An Enquiry Concerning the Principles of Morals, which deals briefly with international relations and social relations but has little to do with politics or law, a reflection of Hume’s aversion to abstract theories and his preference for established traditions and an orientation characteristic of Scottish Enlightenment thought more generally. The literature on the revaluation of commerce, and its relation to the rise of the British Empire, is immense. See for example Teichgraeber, “Free Trade” and Moral Philosophy; Winch, Riches and Poverty; Rothschild, Economic Sentiments; and David Armitage, The Intellectual Origins of the British Empire (Cambridge, 2000).


139. Francis Hutcheson, *System of Moral Philosophy*, 3 vols. (London, 1755), 1:77. It should also be noted that Hutcheson dismissed arguments for divine-right monarchy and endorsed the people’s right to resist tyranny. Less concerned with anarchy than with oppression, he did not share Hume’s ambivalence concerning popular government: “In all ages there has been too much patience in the body of the people, and too stupid a veneration for their princes or rulers.” We have too little evidence to rule out republican or democratic government as impractical. “For each one free kingdom or state,” we have “many monstrous herds of miserable abject slaves or beasts of burden, rather than civil polities of rational creatures.” Just as the moral sense enables individuals to identify benevolence and respond to it, so that sense enables them to exercise better judgment in public life than earlier thinkers had credited them with possessing.

(Oxford, 1976), 1. The page references in the following notes are to the Raphael and Macfie edition.


142. Smith never moved as boldly toward atheism as Hume did; whether his caution reflected his own deep uncertainty—or merely prudence induced by the abuse Hume endured—cannot be known conclusively. On this vexed question I have followed the fine discussion in Rothschild, *Economic Sentiments*, 129–30, 299–300n79; but cf. James Moore, “Natural Rights and the Scottish Enlightenment,” in *CHECPT*, 307–10, for evidence of Smith’s religious faith.


148. Adam Smith, *The Wealth of Nations*, bk. 4, chap. 7, pt. 3; see also Winch, *Adam Smith’s Politics*, 155, and, more generally, Winch’s discussion of Smith’s “Thoughts on America,” 152–63.


151. On the legacy of Adam Smith, see Winch, *Adam Smith’s Politics*, and Rothschild, *Economic Sentiments*.

152. For a recent overview, see Moore, “Natural Rights and the Scottish Enlightenment.”


Scotland and America in the Age of the Enlightenment, ed. Richard B. Sher and Jeffrey R. Smitten (Princeton, 1990), 133–47.


Chapter 6


2. This realization has sparked a competition between champions of the so-called “social” and “ideological” interpretations of the Revolution that now impedes historical understanding. The literature that has transformed historians’ understandings of the Revolution is vast and growing rapidly. A fine social history of the struggle is Gary B. Nash, The Unknown American Revolution: The Unruly Birth of Democracy and the Struggle to Create America (New York, 2005). See also Gary B. Nash, The Urban Crucible: Social Change, Political Consciousness, and the Origins of the American Revolution (Cambridge, 1979); Staughton Lynd, Antifederalism in Dutchess County, New York: A Study of Democracy and Class Conflict in the Revolutionary Era (Chicago, 1962), one of the earliest social histories of the Revolution; and three of the more recent, Benjamin L. Carp, Rebels Rising: Cities and the American Revolution (New York, 2007); Ray Raphael, A People’s History of the American Revolution: How Common People Shaped the Fight for Independence (New York, 2001); and Raphael, The First American Revolution: Before Lexington and Concord (New York, 2002). Other examples include Dirk Hoerder, Crowd Action in Revolutionary Massachusetts (New York, 1977); Paul

3. The two leading historians often characterized by their critics as offering an “ideological” or idea-centered explanation of the American Revolution have insisted on the necessity of a multi-dimensional account that attends to social, economic, and political as well as


5. Recent years have seen an upsurge of scholarly interest in Franklin. The most detailed biography, based on exhaustive research, is J. A. Leo Lemay, *The Life of Benjamin Franklin*; of the projected seven volumes, the first two, covering the years 1706–47, have been published (Philadelphia, 2006).


9. As imperfect creatures, Franklin believed, we should concede the limits of our knowledge: “surrounded as we are on all sides with Ignorance and Error, it little becomes poor fallible Man to be Positive and dogmatical in his Opinions.” Only forbearance could prevent conflict in a culture awash with conflicting forms of religious enthusiasm. Franklin, “Dialogue between Two Presbyterians,” printed in the *Gazette*, April 10, 1735, in *Papers* 2:27–33, and in *Autobiography*, ed. Houston, 167–71; the quotation is from 171. See also Anderson, *The Radical Enlightenments of Benjamin Franklin*, 81. For an overview of the general “sacralization” of the landscape of colonial America and the proliferation of diverse sects, which occurred in two waves, 1680–1710 and 1740–70, see


12. Hume quoted in Darren Staloff, *Hamilton, Adams, Jefferson: The Politics of Enlightenment* (New York, 2005), 21. Women as well as men were avid readers of Addison and Steele’s *Spectator* in the 1740s. A family portrait by John Greenwood, *The Greenwood-Lee Family*, painted in 1747 and held by Boston’s Museum of Fine Arts, shows a woman reading the *Spectator*. As Dana Comi notes in “‘In the Shade of Solitude’: The Mind of New England Women, 1630–1805,” 117–18, in the seventeenth century the woman would have been shown reading the Bible. As Comi points out, it is difficult to reconcile evidence concerning the increasing Anglicization of America during the middle decades of the eighteenth century with Jon Butler’s contention, in *Becoming America*, that the colonies were diverging from Britain during these years. On 125–30, she suggests persuasively that the more prosperous and urban regions were becoming more Anglicized, in part as a result of the greater availability of polite literature and manners, while at the same time more remote regions were developing in quite different directions.

13. Not that there was any necessary contradiction: so popular were Franklin’s publications and so successful his associated enterprises that he prospered beyond his hopes. By the age of forty-two, he had become one of the richest men in Pennsylvania, sufficiently wealthy that he could retire from his business enterprises to enjoy the refined life of a gentleman—which he did, of course, by continuing to devote himself selflessly to public

14. From Homer and Virgil to *Athenian Sports*, Cicero, and Tacitus; from Montaigne, More, and Bacon to Milton, Harrington, Sidney, and Locke; from Montesquieu and Voltaire to Defoe and Hume; and from Increase and Cotton Mather to a wide range of Christian devotional literature, extant catalogues from 1641 and 1647 show the interests of a readership with strikingly wide-ranging and eclectic tastes. Extracts from these catalogues are reprinted in the appendix to Anderson, *The Radical Enlightenments of Benjamin Franklin*, 221–29. For a fuller list, see Edwin Wolfe, “Franklin and His Friends Choose Their Books,” *Pennsylvania Magazine of History and Biography* 80 (1956): 11–36.


16. “The Principal End of Education is,” according to Hutcheson, “to form us wise and good Creatures, useful to others and happy ourselves.” In Locke’s words, “‘Tis VIRTUE, then, direct VIRTUE, which is to be aim’d at in Education. All other Considerations and Accomplishments are nothing in Comparison to this.” Franklin, *Proposals Relating to the Education of Youth in Pennsylvania*, in *Papers* 3:397–420, with quotations from 419–290; reprinted in *Autobiography*, ed. Houston, 203–14.


19. Franklin admitted that politics usually devolves into the pursuit of self-interest, but he thought moving toward the common good would be possible if Christian benevolence replaced sectarian dogma and the humility of Jesus and Socrates replaced arrogance. The aptly named Michael Welfare, among the founders of the Protestant denomination known as the Dunkers, embodied those virtues for Franklin. “Calumniated” by other sects because they never published “the Articles of their Belief and the Rules of their Discipline,” the Dunkers resisted taking that step because, in Welfare’s words, they saw “that some Doctrines which we once esteemed Truths were Errors, and that others which we had esteemed Errors were real Truths.” With God’s help, “our Principles have been improving,” but the Dunkers feared that “if we should once print our Confession of Faith, we should feel ourselves as if bound and confin’d by it, and perhaps be unwilling to receive farther Improvement.” For Franklin, the Dunkers’ fallibilism pointed toward the political and cultural orientation he sought to advance. Franklin, *Autobiography*, ed. Houston, 96–97.

21. Franklin, *Plain Truth*, and *Form of the Association into which Numbers are daily entering, for the Defence of this City and Province—With Remarks on Each Paragraph*, in Papers 3:180–204, 205–11, reprinted in *Autobiography*, ed. Houston, 180–92, 193–99. See also Franklin’s own account of the process of forming the militia, and his role in it, in *Autobiography*, ed. Houston, 91–96. In the words of Edmund S. Morgan, *Benjamin Franklin* (New Haven, 2002), 67, this “first exercise in state-making” showed “already the commonsense, democratic principles” that Franklin “would display nearly thirty years later” in his contributions to the writing of the Pennsylvania Constitution.


26. Franklin, Observations concerning the Increase of Mankind, People of Countries, &c., in Papers 4:234; and Autobiography, ed. Houston, 221. See also Franklin, Observations concerning the Increase of Mankind, 225–34; Houston’s introduction to Autobiography, ed. Houston, xxxii; and Morgan, Benjamin Franklin, 72–80.

27. Franklin, Observations, in Autobiography, ed. Houston, 217–21. In the first version of the essay, Franklin wrote that “every Slave” is “by Nature a Thief.” In the revised version of 1769, in which he omitted the slur against Germans, he altered “by Nature” to read “from the nature of slavery.” Franklin eventually admitted that slavery is morally wrong, yet he never emancipated his own slaves. See Morgan, Benjamin Franklin, 38–39, 304–14. I do not share the view that slavery represented simply an extreme form of the instrumental rationality characteristic of Enlightenment thinkers. Like the rejection of women’s equality, the acceptance of race-based slavery showed the limits of eighteenth-century conceptions of reason and the boundaries of the principles of autonomy and equality, not their hollowness. Women and nonwhites eventually won—to a still-limited degree—equal protection under the law not by repudiating those principles but by demanding that
they be extended to all people. For a contrary view, and a convincing argument concerning the widespread racism of many eighteenth-century thinkers, see Emmanuel Chukwudi Eze, ed., *Race and the Enlightenment* (Oxford, 1997).


30. On Franklin in the international network of scientists, see Chaplin, *The First Scientific American*.


44. Williams, *The Essential Rights and Liberties of Protestants*, 57–58, 40, 93. According to John Dunn, Williams exemplified the distinctively American use of Locke’s writings. “A sharper insight into the radical implications” of Locke’s ideas “came with Elisha
Williams’s anonymous pamphlet of 1744. In the emotional context of the Great Awakening, Locke’s dignified intellectual insistence on autonomy of judgment becomes sharply radical” and “all the lineaments of authority were wrenched aside. Locke’s notions of toleration were fused with a brilliant presentation of his theory of government, and a doctrine of startling originality appeared…When the cool epistemological individualism of the scholar’s closet was fused with the insistent Puritan demand for emotional autonomy, the two became transmuted into a doctrine which in the radicalism of its immediate and self-conscious social vision could not have been conceived anywhere else in the eighteenth-century world.” See Dunn, “The Politics of Locke in England and America,” in John Locke: Problems and Perspectives, ed. John Yolton (Cambridge, 1969), 73–74. The legitimacy of the people’s chosen representatives—and the implicit illegitimacy of lawmakers not chosen by the people, such as Parliament in relation to the American colonists—was a standard theme of New Yorker William Livingston’s Independent Reflector (1752–53), republished and edited by Milton M. Klein (Cambridge, MA, 1963).

45. Independent Advertiser, January 11 and February 8, 1748, quoted in Linebaugh and Rediker, The Many-Headed Hydra, 88. On the question of whether England’s North American colonies were becoming more Anglicized, as they became more tightly bound to the consumer goods they imported from England, or more Americanized, as they developed a self-conscious sense of themselves as a distinct people, the obvious answer seems to me “yes.” Even as the more prosperous elements of the seaboard colonies showed signs of becoming more interested in, and better able to afford, the emblems of gentility associated with the English gentry, other colonists were chafing under the
greater inequality that such luxuries made increasingly evident. For an excellent discussion of the historiography on the issue of Anglicization, and a resolution of the problem that I find persuasive, see Jon Butler, *Becoming America*, 131–84, esp. 154. Now that evidence of a “consumer revolution” extends back as far as the early Renaissance, it may be time to retire the concept altogether and acknowledge that ever more people have been buying ever more things in the West for half a millennium now.


47. In the words of Robert Middlekauff, “by the middle of the eighteenth century the churches and the sects were well on their way towards a democratic Christianity—democratic in governance and spirit. Both religious governance and the evangelical and democratic attitudes of laymen, and frequently of clergy, profoundly affected the larger society—in a sense were embedded in that society. In these pre-Revolutionary years a congregational democracy formed in many of the churches whatever their formal structure. Nowhere in the colonies, not even in the colonies where the Church of England was established, did the English practice [enforcing tithes, selling avowdsons, buying presentations, renting pews] prevail.” In Middlekauff’s words, “The faith in individual autonomy that gave congregational democracy its being did not stop with religion: it made democrats as well as Christians and entered virtually all aspects of colonial American life.” Middlekauff, “Democracy in America before Tocqueville,” Harmsworth Lecture, Oxford University, 1997. On the uniqueness of the American combination of republicanism and Protestantism, see Noll, *America’s God*, 1–157.

49. Charles Chauncy, *Civil Magistrates must be just, ruling in the Fear of God* (Boston, 1747), 53, 55, 33–34.


51. It is not surprising that Jonathan Israel, who treats Spinoza as the fountainhead of Enlightenment and dismisses all theists as temporizers or champions of forms of Counter-Enlightenment, has little room in his multi-volume study for American thinkers. If all attempts to make the Enlightenment celebration of reason compatible with religious faith were incoherent, then—all evidence to the contrary notwithstanding—there was no American Enlightenment. As Henry May pointed out decades ago, the “skeptical Enlightenment” of Spinoza and Hume exerted almost no influence in America, whereas the “moderate Enlightenment” of Locke, Newton, Montesquieu, and the Scottish philosophers of common sense was of crucial importance.


53. This discussion is indebted above all to the brilliant analysis in Noll, America’s God, 31–157, which brings together an unrivaled number of specialized studies of American religion. On the role of Locke’s Protestantism in shaping American responses to his work, see Jerome Huyler, Locke in America: The Moral Philosophy of the Founding Era (Lawrence, KS, 1995); Joshua Foa Dienstag, “Serving God and Mammon: The Lockean

54. When Adams entered Harvard, the class was ranked according the eminence of each student’s family. Because Adams’s mother was a member of the Boylston family, he ranked near the middle of the class. His father’s lineage and the economic standing of his family would have placed him near the bottom of the class. Even though his father sold ten acres of land to finance John’s education, without a partial scholarship he would have been unable to attend Harvard.


63. Adams to Charles Cushing, April 1, 1756, in *Papers* 1:12.


68. Adams was aware of his own vanity—and equally aware of others’ failures to achieve the humility that eluded him. See Adams, *Diary and Autobiography* 1:22–24, 33–34, 37, 221–22.


72. Abigail Adams has been the subject of considerable attention in recent decades. Of the multiple studies that examine her as an embodiment of republican womanhood, as a proto-feminist, or—least convincing of all—as a shrewish wife and nagging mother, I have found most useful the powerful study by Edith Gelles, *Portia: The World of Abigail Adams* (Bloomington, 1992).


77. Abigail Adams to John Adams, November 27, 1775, in *Adams Family Correspondence* 1:329.

78. On these tenants’ revolts and the struggles between back country farmers and coastal or English landlords, see Gary B. Nash, *The Unknown American Revolution: The Unruly Birth of Democracy and the Struggle to Create America* (New York, 2005) 3–8, 88–114.


83. Only when one looks at the corrupt practices of British elections and patronage politics, or generalizes from the equally corrupt practices of many southern colonies, where an elite of white male slave holders managed to persuade a majority of less affluent white males to perpetuate their power, might one lose sight of the very different norms and
political practices of the middle and New England colonies and the more rough-edged but equally democratic politics characteristic of the backcountry.

84. James Otis, *The Rights of the British Colonies Asserted and Proved* (Boston, 1764); and see Nash, *The Unknown American Revolution*, 63–64; and Clark, *Language of Liberty*, 117–18. For the argument I am challenging here, an argument that I concede makes sense of British and southern politics, see Morgan, *Inventing the People*. Note in particular his portraits of corrupt electoral practices in England and America on 202–6; and cf. his concession on 146–47: “most of the evils which the commonwealthmen denounced did not exist in the colonies; most of the remedies they proposed were already in practice there. The sovereignty of the people in the colonies, insofar as it was embodied in representation, had not departed so far from fact as to induce the kind of protest evoked in England. And the fact that the representatives in most colonies (except Rhode Island and Connecticut [because there were no royal governors there, and the colonial assemblies ruled more or less without opposition]) were engaged in controversies with governors whom the people had no hand in choosing served only to heighten the representatives’ identity with the people who did choose them.” Much as I respect Morgan’s scholarship, I believe he is extrapolating from his brilliant and convincing argument concerning slaveholders’ hegemony in *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York, 1975) and applying that model to the colonies as a whole, even though he admits that pattern did not extend beyond the parts of the South dominated by big planters.

85. On the relation between English law and colonial law and the persistent tensions concerning the legitimacy of colonial courts and legislation in relation to Britain, see

86. See Morgan, _Benjamin Franklin_, 128–44.

87. Adams in _Boston Gazette_, August 29, 1763.


89. Otis, _Vindication of the British Colonies_, in Bailyn, _Pamphlets_; and cf. the discussion of Otis’s _Vindication_ in Bailyn, _Ideological Origins_, 78–79, 85, 186; and Wood, _Creation of the American Republic_, 292–95. As Bailyn points out in _Ideological Origins_, 204–6, Otis’s reasoning owed a clear debt to Grotius’s argument for natural law.

90. “If those now so considerable places are not represented,” Otis observed, “they ought to be.” See the discussion of this point in Bailyn, _Ideological Origins_, 168–69.

91. Daniel Dulany, _Considerations on the Propriety of Imposing Taxes in the British Colonies_ (Boston, 1765), 7.
92. Jack P. Greene and John Phillip Reid consider this unresolved conflict over law, which only begins to come into focus in the 1760s and 1770, the most important cause of the American Revolution. See Greene, *The Constitutional Origins of the American Revolution*; and John Phillip Reid, *Constitutional History of the American Revolution: The Authority of Law* (Madison, 1993). On Otis’s admission that “it is our duty to submit” and the criticism that plea elicited, see Bailyn, *Ideological Origins*, 206–7. Although I believe their claims outrun their evidence, one of the strongest arguments in McConville, *The King’s Three Faces*, and Nelson, *The Royalist Revolution*, concerns the depth of almost all North American colonists’ sense of themselves as the king’s loyal subjects, a self-conception that persisted until the outbreak of hostilities in the spring of 1775.

93. Mayhew had remained embroiled in controversy after his 1750 sermon. From 1762 to 1764 he played a leading role in the controversy surrounding the efforts of the Anglican Society for the Propagation of the Gospel in America, a campaign that New England Puritans interpreted less as a mission to America’s Indians than as a direct challenge to their own faith. New Englanders saw in the Society’s activities an ominous signal that the Church of England was planning to plant episcopacy in America. Mayhew’s ringing defenses of New England Congregationalism in defiance of the Society further enhanced his stature. On Mayhew’s sermon on August 25, 1765, preached on the text “I would they were even cut off which trouble you, for brethren ye have been called unto liberty,” and its consequences, see Bailyn, *Faces of Revolution*, 127–30. On Mayhew’s earlier criticism of British authority, see note 44 above.
94. To a member of his congregation Mayhew confessed that he had been goaded into the sermon by his critics and that he wished he had never delivered it. For the remaining months of his life—Mayhew died on July 9, 1766—he worked to balance his intemperate defense of liberty against his abhorrence of anarchy and his concern for social order. Mayhew’s letters to Hutchinson and Samuel Clarke are quoted in Bailyn, \textit{Faces of Revolution}, 128–32.


96. Mayhew’s sermon vividly displayed his own inner conflict, versions of which were felt by countless New Englanders who cherished both liberty and law. It would be better, Mayhew concluded, “if one had wings like a dove,” to “fly far away, and remain alone in the wilderness, where he might be at rest, than to live in a society where there is no order, no subordination; but anarchy and confusion reign.” Mayhew, \textit{The Snare Broken}, 258–59, 262–63.


99. Adams defended the erudite, liberty-loving founders of New England, who established “ecclesiastical and civil government, in direct opposition to the canon and feudal systems.” Ridiculing the Puritans as ascetic killjoys, already a popular diversion, was but
“foppery and affectation.” By uncoupling religious from civil authority and establishing self-government in both domains, the Puritans had dismantled the “feudal inequalities and dependencies” that had sustained the “subordination” of the many by a handful of priests and aristocrats. Adams, *A Dissertation*, in *Papers* 1:113–16.


106. Adams, *A Dissertation*, 128. On how typical Adams’s use of Sidney was in comparison to other American writers in the mid-1760s, including Otis and Mayhew, see Houston, *Algernon Sidney and the Republican Heritage in England and America*, 236–42.


(1992): 11–38. For my response to Rodgers, see Kloppenberg, “Premature Requiem: Republicanism in American History,” The Virtues of Liberalism, 59–70. For an earlier argument concerning the colonists’ reliance on a wide range of intellectual traditions, which often strike contemporary readers as inconsistent, see for example Wood, The Creation of the American Republic, 7–8: “Mingled with their historical citations were repeated references to the natural-law writings of Enlightenment philosophers and the common-law writings of English jurists—both contributing to a more obviously rational, rather than an experiential, understanding of the nature of politics. And for those who continued to confront the world in religious terms the revelations of scripture and the mandates of covenant theology possessed a special force that scarcely contradicted but instead supplemented the knowledge about society reached through the use of history and reason. It seemed indeed to be a peculiar moment in history when all knowledge coincided, when classical antiquity, Christian theology, English empiricism, and European rationalism could all be linked. Thus Josiah Quincy, like other Americans, could without any sense of incongruity cite Rousseau, Plutarch, Blackstone, and a seventeenth-century Puritan all on the same page. However imprecise, confused, and eclectic the colonists’ gleanings from history and quotations from philosophers may seem to us, they represented to eighteenth-century Americans the experience and reason of the Western world. To most of the Revolutionaries there was no sense of incompatibility in their blending of history, rationalism, and scripture; all were mutually reinforcing ways of arriving at precepts about human and social behavior.” Wood concludes, “few American ministers saw any need to deny the Enlightenment for the sake of religion.”


112. On these issues cf. Greene, *The Constitutional Origins of the American Revolution*, 139–86; Reid, *The Concept of Representation in the Age of the American Revolution*, who describes the question of instructions in the colonial assemblies as a “riddle of customary practices” (103); Pole, *Political Representation*, 9–75, 277–78; Wood, *Creation of the American Republic*, 253, 362–69; and Nash, *The Unknown American Revolution*, 98. Whereas Greene, Reid, Pole, and Wood emphasize the complex cultural transformation involved in the shifting and competing conceptions of representation being debated during these crucial years in Britain and North America, for Nash the building of the public gallery in Boston simply shows that “the genteel” now needed “the crowd,” an observation both accurate and inadequate for reasons made clear by the other authors.


116. The final sentence of Adams’s final essay as the Earl of Clarendon, January 27, 1766, rebukes his antagonist for “exploding the whole system of popular power with regard to the Americans.” Adams, *Papers* 1:170; and see also Steven Conway, “From Fellow-

117. Benjamin Franklin, Examination before the Committee of the Whole of the House of Commons (1766), in *Papers* 13:124–58; the quotation is from 153.


121. Bernard Bailyn, in *The Origins of American Politics* (New York, 1968), notes repeatedly that English officials identified the colonists’ excessive “democracy” as the source of their unruliness, yet he denies just as often that the colonists themselves wanted democracy. Commitment to self-government and loyalty to George III coexisted uneasily during the decade from 1765 to 1775, but British officials’ perceptions were grounded in the reality of the colonial assemblies’ effective exercise of power rather than a paranoid or conspiratorial fantasy. When the colonists disputed the authority of Parliament, they did not turn to the authority of the king but to that of their own elected legislatures, which had been exercising effective power in the colonies for a period longer than the life of anyone alive in the 1760s and 1770s.
122. “Populus” [Samuel Adams], *Boston Gazette*, March 14, 1768.

123. Johnson’s report also suggests dimensions of popular activism less frequently addressed in more recent celebrations of the role of the crowd: an inclination toward racism and xenophobia that, like most colonists’ equally rabid anti-Catholicism, crossed the boundaries of class and region. William Johnston to the Earl of Dartmouth, November 4, 1772, in *Documents Relative to the Colonial History of the State of New York*, ed. E. B. O’Callaghan (Albany, 1853), 8:314–17.

124. As Adams put it, in a “free Country” counsel “ought to be the very last thing that an accused Person should want,” and “every Lawyer must hold himself responsible not only to his Country, but to the highest and most infallible of all Trybunals.” Adams, *Diary and Autobiography* 3:293.

125. Adams and Quincy reasoned that because the question of which soldiers fired the fatal shots could not be answered, reasonable doubt concerning individuals’ guilt meant that all the accused must be acquitted. Much has been made of Adams’s claim that the soldiers had been provoked by a “motley rabble of saucy boys, negroes and mulattoes, Irish teagues, and outlandish jack tarrs.” But the strategic calculation embedded in that characterization seems as clear as that of his invocation of the right to counsel. Adams and his allies understood the importance of distinguishing between the activities engineered by the Sons of Liberty and lawless acts of mob violence. As Samuel Adams had made clear, defending in public (as opposed to inciting) “mobs,” “confusions,” and “tumults” played into the hands of the British authorities and undercut the agitators’ credibility with their resentful but still mostly law-abiding fellow colonists. Adams, *Legal


129. From the time that Queen Elizabeth granted Walter Raleigh the charter of Virginia, Adams argued, no English monarch had made a declaration concerning the extent of Parliament’s authority as audacious as Hutchinson’s. Adams compiled multiple examples to demonstrate “that the Colonies were not intended or considered to be within the Realm of England, though within the Allegiance of the English Crown.” If Parliament’s authority extended to the colonies, then those who fled religious persecution would not have been free of it, yet they established their own congregations in defiance of both Parliament and the Church of England. If the colonists’ own representative assemblies were not sovereign, then the “Charters would necessarily induce that Solecism in Politics Imperium in Imperio,” for two powers could not govern the same body. If Parliament controlled the colonies, then James I could not have declared that “America was not annexed to the Realm, and it was not fitting that Parliament should make laws for those Countries.” His son Charles I could not have denied England’s authority to regulate
fishing off the American coast, declaring as he did that “the Colonies were without the Realm and Jurisdiction of Parliament.” If Parliament’s power were supreme, Charles II would not have declared a revenue law valid in 1679 “with the Consent of the General Assembly of Virginia.” Finally, if Hutchinson’s claims for Parliament were accurate, then the Massachusetts charter would not specify that its people were to be governed “by Laws made by Persons in whose Elections they from Time to Time have a voice.” With his characteristic exhaustiveness, Adams was working to construct an iron-clad case against Parliament by piling up citations from English law, founding charters, and colonial practice. Adams, “Answer to His Excellency’s Speech at the Opening of the Session,” in Papers 1:324–25.


131. Adams also pointed out that Hutchinson had quoted Edward Randolph, no friend of colonial presumptions, who had admitted in 1676 that “no Law is in Force or Esteem” in New England “but such as are made by the General Court,” and the magistrates of New England “reserve to themselves a Power to alter, evade and disannul any Law or Command, not agreeing with their Humour or the absolute Authority of their Government, acknowledging no Superior.” John Adams, “Answer to His Excellency’s Speech at the Opening of the Session,” in Papers 1:324–25.


133. Hutchinson had given Adams an irresistible opening by invoking the “Doctrine of Feudal Tenure.” Adams surveyed historical precedents from King John to King George, opinions of legal authorities from Coke to Blackstone, and the tradition of natural jurisprudence. He summed up his argument with a lengthy passage from Richard Hooker, “as quoted by
Mr. Locke,” to the effect that feudal claims to absolute authority are contrary to God’s will; legitimate authority comes only from popular consent. Adams, “Answer to His Excellency’s Speech at the Opening of the Session,” 332, 334–35.

134. See Conrad E. Wright, Revolutionary Generation: Harvard Men and the Consequences of Independence (Amherst, 2005).


136. Franklin quickly went on the attack, writing two satirical articles on the folly of British colonial policy. The first offered, in the words of its title, “Rules by Which a Great Empire May Be Reduced to a Small One.” The blueprint was easy to follow: if current measures regulating—and stifling—colonial trade were allowed to stand, and if the colonists’ grievances were not addressed, Britain would soon find itself with no colonies left to govern. The second, “An Edict by the King of Prussia,” accomplished with the deftness of a rapier thrust what Adams sought to achieve through his lawyer-like bludgeoning of Hutchinson’s position. Franklin’s gambit was to suggest that the Prussian monarch had at least as good a case against England as England had against the colonies, and the colonies would be as fully justified in ignoring Parliament as the English would be were their Teutonic forbears to come seeking compensation for their unrewarded and unappreciated forays into the British Isles. Franklin, “An Edict by the King of Prussia,” September 22, 1773, in Papers 20:413–18.

137. See the brief but brilliant account of this chapter in Franklin’s life in Wood, The Americanization of Benjamin Franklin, 139–51. Wood contends that this cathartic experience changed Franklin’s attitude toward England and America, and his sense of
himself, forever. When he returned to Philadelphia in the spring of 1775, he was estranged from the British Empire and committed to the cause of American independence.

138. Gouverneur Morris to John Penn, May 20, 1774, in *American Colonial Documents to 1776*, ed. Merrill Jensen, vol. 10 of *English Historical Documents* (London, 1955), 861–63. Cf. Nash’s account of this process of popular mobilization in *The Unknown American Revolution*, 91–103; and Wood’s quite different discussion in *The Creation of the American Republic*, 76–77: by the middle of the eighteenth century, Wood writes, “even in so stable a colony as Virginia,” the evidence indicates “that more and more groups, with more broadly based grievances and more deeply rooted interests than those of the dominating families, were seeking under the prodding of popular spokesmen a larger share in the wielding of political authority.” By shifting the focus of colonial politics from internal tensions to “the issue of British authority, the controversy with the mother country at first tended to obscure these developments and to drown out the quarrels Americans had among themselves. British policy and the Whig ideology worked in tandem to blur America’s internal jealousies, jealousies between North and South, between city and country, and [quoting Ambrose Serle’s 1776 observations concerning New York] ‘jealousies naturally arising from the variety of private interests in the Planter, the Merchant, and the mechanic.’ For a moment in 1774–76 the imperial contest absorbed and polarized the various differing groups as never before in the eighteenth century and made the Americans a remarkably united people.” Whether this process was driven primarily by class consciousness, as Nash contends, or by a combination of economic conflict, eroding family-based hierarchies under the pressure of colonial policy,
and Whig ideology, as Wood argues, seems to me impossible to determine conclusively. Instead economic, social, political, religious, and ideological factors were all at work, and they all worked against British authority. For a brief period, preexisting divisions and resentments seemed less significant than the threats represented by the Intolerable Acts.

139. The Quebec Act preserved the privileges of the Catholic Church, which inflamed the anti-Catholic sensibilities of Puritans, Quakers, Lutherans, and many other Protestants, especially those whose faith had been reinvigorated by the egalitarian thrust of the Great Awakening. The Quebec Act adopted French civil law, another sensible accommodation to Quebec’s existing institutions that alarmed other English colonists. Now jury trials—not guaranteed by French law—might be in jeopardy: the Justice Act immunized British officials from local juries in Massachusetts. The Quebec Act stipulated that the colony be governed by appointed rather than elected officials, and it allocated to Quebec some of the territory in the old Northwest claimed by other colonies. John Adams later wrote that “the apprehension of Episcopacy” contributed “as much as any other cause, to arouse the attention, not only of the inquiring mind, but of the common people” in the 1760s and 1770s. Although by the early nineteenth century, Adams observed, few still acknowledged its power, the centrality of religious fervor in eighteenth-century public life “was a fact as certain as any in the history of North America.” The logic Adams described explains the colonists’ reaction to the Quebec Act: “if parliament can erect dioceses and appoint bishops, they may introduce the whole hierarchy, establish tithes, forbid marriages and funerals, establish religions, forbid dissenters, make schism heresy, impose penalties extending to life and limb as well as to liberty and property.” John Adams to Jedediah Morse, December 2, 1815, in Works 10:185. The religious fervor
animating much colonial criticism of the Quebec Act is clear from the evidence amassed in Clark, *The Language of Liberty, 1660–1832*, evidence neglected in most studies of the 1770s. If Clark’s claim that the American Revolution was the last of the wars of religion is overstated, it is nevertheless a valuable corrective to the equally overstated claims of many historians that religious issues were of little significance in the 1770s. Writing about colonial reactions to the Quebec Act, Clark concludes, “The virulence and power of popular American anti-Catholicism is the suppressed theme of colonial history, and the studies which seriously address it are forgotten books” (273). For a valuable survey of these issues, see the range of interpretations offered by the contributors to Ronald Hoffman and Peter J. Albert, eds., *Religion in a Revolutionary Age* (Charlottesville, 1994). Lutz, in *A Preface to American Political Theory*, 135–39, notes that the Bible was the single most widely cited book in the revolutionary era; that it was primarily through the writings and sermons of Protestant ministers that Locke became salient; and that the idea of natural law appealed to most eighteenth-century Americans precisely because they deemed it consistent with revelation.


142. Adams’s “Novanglus” letters are in *Papers* 2:380.


145. Adams, *Papers* 2:327, 323–24. For a persuasive argument that traces the entire controversy, and the ensuing struggle for independence, to exactly this issue, see Greene, *The Constitutional Origins of the American Revolution*. According to Leonard and other Tories on both sides of the Atlantic, “There is no medium between absolute independence and subjection to the authority of parliament.” If so, Adams conceded, then the colonies would indeed be “as fully convinced of their independence, their absolute independence, as they are of their own existence, and as fully determined to defend it at all hazards, as Great Britain is to defend her independence against foreign nations.” But Adams rejected Leonard’s premise. The colonies wanted only to continue making their own laws governing their internal affairs. They would happily allow Parliament to continue regulating colonial trade. Adams, *Papers* 2:335.

146. Adams quoted Locke: when men have entered into “society and civil government” and established laws “among themselves”—as the colonists had done for over a century—”those who set up force again, in opposition to the laws, do *rebellare*, that is, do bring back again the state of war, and are properly, rebels.” Adams, *Papers* 2:292–93.

most detailed account of Adams’s “Novanglus” essays, and much of my analysis parallels his. I do not, however, share his judgment that Adams invoked the idea of natural law rather than divine law, a distinction as difficult to sustain in Adams’s writings as it is in Locke’s *Second Treatise*.

148. One of the most poignant arguments in the essays of “Massachusettensis,” concerning the all-but-certain anarchical consequences of the doctrines of equality and popular sovereignty, serves as the conclusion to Bernard Bailyn’s brilliant *Ideological Origins of the American Revolution*, 318-19. As Bailyn points out, the fears expressed by Leonard and other Tories such as the Anglican minister Jonathan Boucher echoed those issued long before by Filmer and other royalists, and they were given new life in the aftermath of the French Revolution, as we will see in chapter 12 below. As Bailyn makes clear, the arguments of Adams and others for democratic government never went unchallenged even at the height of revolutionary fervor in America.


150. If Parliament’s recklessness prompted the colonists to withdraw their consent from Britain’s monarchy, they would again enter the state of nature. Adams understood that some colonists, including those discussed by Eric Nelson in *The Royalist Revolution*, looked to the King for relief from Parliament. But Adams explicitly denied Leonard’s claim that the effect of the controversy was to “‘build up absolute monarchy in the colonies.’” Nelson first stated his provocative argument in “Patriot Royalism: The Stuart Monarchy in American Political Thought, 1769–1775,” *The William and Mary Quarterly*, 3rd ser. 6, no. 4 (October 2011): 533–72. For responses to Nelson that I find persuasive, see Gordon S. Wood, “The Problem of Sovereignty,” Pauline Maier, “Whigs


152. James Iredell, Address to the Inhabitants of Great Britain (n. p., 1774).


155. The most thorough single-volume account of Jefferson’s life and thought remains Noble Cunningham, In Pursuit of Reason: The Life of Thomas Jefferson (Baton Rouge, 1987). For a discussion of the myriad studies and interpretations of Jefferson, see Kloppenberg,
The Virtues of Liberalism, 38–51. On Sally Hemings, a slave who was Jefferson’s deceased wife’s half-sister and the mother of several of his children, and who was finally freed only after Jefferson’s death by his daughter Martha (who was also Sally’s niece), see Annette Gordon-Reed, The Hemingses of Monticello: An American Family (New York, 2008).


157. Jefferson, A Summary View, in Writings, 105–10. In his “Autobiography,” Jefferson offered a slightly different version of his rationale, which resembled even more closely Adams’s reasoning in his “Novanglus” essays: because the right to expatriation is grounded in natural law, “our emigration from England to this country gave her no more rights over us” than the emigrations of Danes and Saxons gave those nations sovereignty over England (9).


160. Jefferson denied flatly the king’s claim to any land in America and proclaimed that “all the lands within the limits which any particular society has circumscribed around itself are assumed by that society,” subject only to their decisions. As with other powers of the sovereign people, the choice is theirs. Thus it “may be done by themselves” directly, “assembled collectively,” or done “by their legislature, to whom they may have delegated sovereign authority.” But if they chose neither of these options, then “each individual of
the society may appropriate to himself such lands as he finds vacant, and occupancy will give him title.” Jefferson, “Autobiography,” 118–20.

161. In this case Jefferson’s public actions proved as good as his private words. After he returned from the Congress in Philadelphia that declared the colonies independent in the summer of 1776, his first priority was to undertake the revision of Virginia’s laws, and his first target was the law of primogeniture. Although it took a decade to complete, he judged this reform among his most significant achievements. The passage of commentary on Montesquieu from Jefferson’s commonplace book is quoted in Nelson, *The Greek Tradition in Republican Thought*, 204. See more generally *The Commonplace Book of Thomas Jefferson: A Repertory of His Ideas on Government*, ed. Gilbert Chinard (Baltimore, 1926). On the consequences of Jefferson’s insistence on partible inheritance, see Holly Brewer, “Entailing Aristocracy in Colonial Virginia: ‘Ancient Feudal Restraints’ and Revolutionary Reform,” *William and Mary Quarterly* 3rd ser. 54, no. 2 (April 1997): 307; and her broader argument concerning the transformative effect of these changes in *By Birth or Consent: Children, Law, and the Anglo-American Revolution in Authority* (Chapel Hill, 2005).

162. Jefferson, “Autobiography,” 32. It is important to keep in mind, as historians from Joyce Appleby and Forrest McDonald to Eric Nelson have pointed out, that Jefferson was not opposed to property *per se*. To the contrary, his goal was to enable as many (white) people as possible to own as much property as possible. His quarrel was with a landed gentry that controlled political authority as a result of their economic power. He never questioned the legitimacy, necessity, or desirability of personal property. For evidence of the persistence of the romantic myth that Jefferson was a uniquely radical egalitarian


165. On the role white Virginia Protestants played in justifying slavery by creating the category of “hereditary heathenism” to exclude Indians and blacks, see Rebecca Anne Goetz, *The Baptism of Early Virginia: How Christianity Created Race* (Baltimore, 2012).


169. On this point see note 108 above.

170. On the folly of trying to separate the liberal, republican, and Christian dimensions of American political thought during these years, see Kloppenberg, *The Virtues of Liberalism*, 3–70. For evidence of Jefferson’s deep albeit unconventional Christianity, see his letter to Benjamin Rush, April 21, 1803, in *Writings*, 1122–26. See also his letter to John Adams after the death of Abigail Adams, November 13, 1818, in Cappon, *The Adams-Jefferson Letters*, 529, in which Jefferson wrote “that it is of some comfort to us both that the term is not very distant at which we are to deposit, in the same cerement, our sorrows and suffering bodies, and to ascend in essence to an ecstatic meeting with the friends we have loved and lost and whom we shall still love and never lose again.”

171. *Pietas et gratulario* (Boston, 1761).

172. On literacy in the colonies and the central role of the Bible, the book most often quoted during these years, see May, *The Enlightenment in America*, 35.
Chapter 7


directory of newspapers in the Library of Congress lists only twenty-nine newspapers with “Democrat” in the title and 342 with the variations on the name “Republican” for the period from 1790–1820. By the 1830–1860 period, 1,465 publications used some version of “Democratic” in their titles and 1,039 “Republican.” There is no doubt that usage varied from popular to elite publications, that it varied from Britain to America, and that it changed over time. But I see no reason to question Adams’s argument concerning the usage of the word democracy during the middle years of the 1770s, when Americans were writing their own constitutions and debating their new forms of non-monarchical, non-aristocratic government.


11. Gordon Wood, in *The Creation of the American Republic, 1776–1787* (1969; Chapel Hill, 1998), contends that Adams’s *Thoughts on Government* was “the most influential pamphlet in the early constitution-writing period” (203). Although an aged and disgruntled Adams later made even more exaggerated claims for its significance, it did play a decisive role in shaping American constitutionalism. See *Diary and Autobiography*, 3:358; and for the context of its writing, 331–32.

12. John Adams, “Thoughts on Government,” in Adams, *The Revolutionary Writings of John Adams*, ed. C. Bradley Thompson (Indianapolis, 2000), 293. Adams wrote, “In New England the Thoughts on Government will be disdained because they are not popular enough; in the Southern colonies they will be despised and dissected because too popular.”


22. Paine knew that some critics of British colonial policy, such as Edmund Burke, had no interest in popular sovereignty but nevertheless thought the colonies were heading toward
independence. Paine had certainly read the Political Disquisitions (1774–75) of the Scottish writer James Burgh, whom he cited in Common Sense. He was familiar with both the Court and Country wings of Whig radicalism. He had experienced firsthand the mobs that gathered in support of John Wilkes. The principal focus of English dissidents, however, was either corruption—if their emphasis was political, like Bolingbroke’s and Trenchard and Gordon’s—or the need to extend religious toleration to dissenting sects of Christians. On these crosscurrents in British political discourse, see Kramnick, Republicanism and Bourgeois Radicalism; Kramnick, Bolingbroke and His Circle (Cambridge, MA, 1968); David Lieberman, The Province of Legislation Determined: Legal Theory in Eighteenth-Century Britain (Cambridge, 1989); James E. Bradley, Religion, Revolution and English Radicalism: Nonconformity in Eighteenth-Century Politics and Society (Cambridge, MA, 1990); Shelley Burtt, Virtue Transformed: Political Argument in England, 1688–1740 (Cambridge, 1992); and Roy Porter, The Creation of the Modern World: The Untold Story of the British Enlightenment (New York, 2000).


25. Inglis, *The True Interest*, 34; Gouverneur Morris quoted in Foner, *Tom Paine*, 85. On the differences in tone between Paine and other American pamphleteers, see Bailyn, *Ideological Origins*, 12–17. The criticism of Paine as an upstart illustrates the persistence in the colonies of loyalty to the principle of hierarchy, and above all to the King. On this dimension of American culture, see Brendan McConville, *The King’s Three Faces: The Rise and Fall of Royal America, 1688–1776* (Chapel Hill, 2007), a reminder that not all colonists shared Paine’s opposition to monarchy. But if McConville’s principal argument concerning the depth and breadth of royalism were accurate, the revolution never would have occurred. On Paine’s critics, see also Perl-Rosen, “The ‘Divine Right of Republicans,’” 555–60.


29. On Paine’s *Age of Reason* and its hostile reception in the United States, see Foner, *Tom Paine*, 246–49; and see chapter 12 below.


34. See John Adams’s entries for September 5–6, 1774, in Diary and Autobiography 2:122–26; and cf. Willi Paul Adams, The First American Constitutions, 36–40, on the diverse processes by which the thirteen colonies selected their delegations to the Continental Congress.

35. Some prominent recent critics of American democracy, including both Edmund S. Morgan and Robert Dahl, consider the provision in the Constitution that stipulates equal representation of all states in the United States Senate antithetical to democracy. Although many contemporaries, including James Madison and James Wilson, shared that view, it is noteworthy that such criticism takes for granted the individualism that Ward and many of his contemporaries challenged. Cf. Edmund S. Morgan, Inventing the People: The Rise of Popular Sovereignty in England and America (New York:, 1988); and Robert Dahl, Democracy and Its Critics (New Haven, 1989); and see chapter 9 below.


39. Adams to Abigail Adams, June 4, 1777, in Adams Family Correspondence 2:255.


43. The argument that a democracy was distinguished from a republic during these years has a long lineage, and it is accepted by the most influential historians who have written on this subject. For their arguments, see Bailyn, *The Ideological Origins of the American Revolution*, 282–301; and Wood, *The Creation of the American Republic*, 222–26. Bailyn’s position is offered as the simple truth of the matter in the most recent study of these issues, Richard R. Beeman, *The Varieties of Political Experience in Eighteenth–Century America* (Philadelphia, 2004), 305n29. I believe that both Bailyn and Wood, whose books remain the best overall treatments of the development of ideas during the revolutionary era, underestimate the democratic quality of representative democracy and follow those writers, ancient and modern, friends and foes, who equate democracy with direct democracy and see representative democracy as either defective or second-best. Both Bailyn and Wood stress the distance between 1776 and the arguments in favor of the United States Constitution advanced in *The Federalist*, which Bailyn praises for its “realism” and Wood characterizes as “the end of classical politics” and the beginning of
liberalism. See Bailyn, *The Ideological Origins of the American Revolution*, 301; Wood, *The Creation of the American Republic*, 606. For reasons I make clear in chapters 9 and 10 below, I do not share those judgments of *The Federalist*; and for a formulation of these issues closer to my own, cf. Adams, *The First American Constitutions*, 103–14. Wood himself seems to have sharpened his sense of the problematic nature of the distinction. See his fine discussion of the reasons for the strategic construction of the difference between “democracy” and “republic” in the 1790s by Federalists—at that stage intent on distancing themselves from their opponents, the Jeffersonians who applauded the French Revolution—and Wood’s conclusion that they knew that their own nation had emerged as a result of a democratic revolution: Wood, *The Radicalism of the American Revolution* (New York, 1992), 229–35. Moreover, I think it is important to understand why Paine, Adams, and many of their contemporaries considered representative democracy the only appropriate and workable form of government for a republic grounded on popular sovereignty. Despite the very real differences between Paine and Adams, differences that became much more pronounced after the outbreak of the French Revolution and in the aftermath of the divisions that event spawned throughout the Atlantic world, in 1776 both Paine and Adams considered themselves champions of representative democracy.

Consider what purposes it serves to accept the argument that there was a distinction from the beginning between republic and democracy. To those on the political right, that distinction discredits those who claim the United States should be more egalitarian: the founders wanted a (hierarchical) republic, not a (radical) democracy. To those on the left, it shows why the United States is not more egalitarian: the founders simply did not trust
the people. Both judgments, however, rest on the projection back into the 1760s and 1770s of a distinction that developed only during the late 1780s and hardened into dogma as a result of the French Revolution. From the 1770s until the present, by contrast, it has been taken for granted among European commentators that the American Revolution was a democratic revolution.

44. On the origins of democracy in Rhode Island and Connecticut, see chapter 2 above.

45. *Providence Gazette*, August 9, 1777. See also the discussion of this article in Adams, *The First American Constitutions*, 104–5; and the entire analysis in Wood, *Creation of the American Republic*, 3–255.

46. Jonathan Sewall to General Frederick Haldimand, May 30, 1775, in *Colonies to Nation, 1763–1789: A Documentary History of the American Revolution*, ed. Jack P. Greene (New York, 1975), 266; Ambrose Serle to the Earl of Dartmouth, November 8, 1776, quoted in Jonathan C. D. Clark, *The Language of Liberty, 1660–1832: Political Discourse and Social Dynamics in the Anglo-American World* (Cambridge, 1994), 204. This passage neatly encapsulates Clark’s principal claim: the American Revolution was the last of the wars of religion, and the anti-Catholicism of American Protestants was its driving force. Although exhaustively researched and vigorously argued, Clark’s case seems to me overstated. I agree that religion was a central issue, but I believe he exaggerates the role of anti-Catholicism. Important as it was, anti-Catholicism did not prevent Americans from seeking support from both Spain and France or from welcoming the considerable assistance of the French army and navy, without with the decisive battles of the war could not have been won.

48. The fullest account of colonial political practice is Richard R. Beeman, *The Varieties of Political Experience in Eighteenth-Century America* (Philadelphia, 2004). The appendices contain the most comprehensive evidence on voter qualifications; days in session of, and laws enacted and petitions received by, colonial assemblies; the number of assembly elections; and the average turnover of legislators. As Beeman acknowledges, the only generalization permitted by the data concerns the wide variety of political practices in the colonies. For the analysis of Anglo-American political culture informing Beeman’s account, see Morgan, *Inventing the People*, which, as I have noted, seems to me unduly dismissive of the consequences of the idea of popular sovereignty in shaping American public life. On the shift from absolutism to a public sphere in which new critical perspectives fueled political engagement, an account that might make more sense for the transition of the colonies to the United States than it does for Europe, see Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger with the assistance of Frederick Lawrence (1962; Cambridge, MA, 1989). On the universality of the rule of law in the United States, see Wood, *Creation of the American Republic*, 259–305.

of the American Republic, 310–43. Wood demonstrates, with a convincing array of evidence, that the constitutional convention “became an extraordinary constitution-making body that was considered to be something very different from and even superior to the ordinary legislature—all so rapidly and so suddenly that it is difficult to recapture its origins. It was perhaps inevitable that the Americans’ conventions of 1774–1775, as the instruments of revolution and constitution making, should have eventually assumed an unusual importance in their eyes” (318). Wood concludes that the reliance on constitutional conventions might properly be considered the “most distinctive institutional contribution” of the American Revolution to the traditions of politics in the western world (342). Cf. R. R. Palmer, The Age of the Democratic Revolution: A Political History of Europe and America, 1760-1800, vol. 1, The Challenge (1959; Princeton, 1969), 214. The colonists’ experience with constitutional conventions during these decisive years provided the background necessary for the Constitutional Convention of 1787.

50. Although Vermont, which patterned its Constitution on Pennsylvania’s, and Georgia both adopted unicameral systems, both of them preserved much of the spirit and the function of an upper house through the institution of executive councils. See Wood, Creation of the American Republic, 226n41; and Adams, The First American Constitutions, 80–81, 90–91.

51. [Democritus], “Loose Thoughts on Government,” Purdie’s Virginia Gazette, June 7, 1776, in American Archives, 4th ser., 6:731. Willi Paul Adams writes that “the special need to protect property, a need that had been cited in support of special property requirements for the constituency of senators, played an astonishingly small role in


54. Adams, “Thoughts on Government,” 290. Even Morgan, who emphasizes the “fictional” nature of the idea of popular sovereignty, concedes that wherever a wealth criterion for the senate was proposed in this first wave of state constitutional conventions, it was rejected. See Morgan, *Inventing the People*, 250. The distinction between the houses was
understood to consist in the tighter linkages between the people and their representatives in the lower house and the broader, more general, horizons expected of those selected for the senate. Although the distinctions might have broken down, or perhaps never did operate as expected, the aim of most constitution writers during these years seems to have been consistent with the ideas of Adams and Jefferson concerning the purpose of the upper house.


61. [James Cannon], *To the Several Battalions of Military Associators in the Province of Pennsylvania*, Philadelphia, June 26, 1776. On the consequences of this appeal to the unitary voice of the common people against those with education, see Rosenfeld, *Common Sense*, 152–80.


65. In his *Autobiography*, Adams gave several reasons for declining to draft the Declaration. See Adams, *Revolutionary Writings, 1775–1783*, 613–14. For Jefferson’s own bare-bones account of the events of June 1776, which resulted in his authorship of the first draft of the Declaration of Independence, see his *Autobiography*, in *Writings*, 13–18. On the details of his cooperation with the other members of the committee charged with


68. *Act of the Assembly of Rhode-Island repealing an act entitled “an Act for the more effectual securing to his Majesty the allegiance of his Majesty’s subjects in this his Colony and Dominion of Rhode-Island and Providence Plantations,”* in *American Archives*, ser. 4, 5:1215.


73. For the resolutions from the Massachusetts towns of Topsfield, Palmer, and Wrentham, see *American Archives*, ser. 4, 6:704, 702, 700.


75. See for example Jon Butler, *Becoming America: The Revolution before 1776* (Cambridge, MA, 2000), 243–44. The opposite case can be almost equally overstated. See for example Clark, *The Language of Liberty*, 110–12, for an argument that “the denominational context” of Calvinism was responsible for the importance of natural law in American political discourse. For a broad overview of these issues, see Martyn P. Thompson, “The History of Fundamental Law in Political Thought from the French Wars of Religion to the American Revolution,” *American Historical Review* 91 (1986): 1103–28.

76. Only much later did some Americans begin insisting, incoherently, that there is something illegitimate about government taxing “their” property. Such preposterous ideas were unknown in the eighteenth century, when property holders’ reliance on government to secure property rights seemed too obvious to be controversial. For a provocative
discussion of the difference between “inalienable” and “adventitious” rights, originating in Aristotle and confirmed by Grotius, Pufendorf, Burlamaqui, and Blackstone, see Morton White, *The Philosophy of the American Revolution* (New York, 1978), 214–29. On the thorny question of whether Jefferson meant in his rough draft to bind the new nation to securing the ends of government (security and happiness) or merely protecting the rights of individuals, and the unanswerable question of whether the final draft altered Jefferson’s meaning or reflected his own ambivalence, see White, 250–56. Brilliant and illuminating as White’s analysis of Jefferson’s draft is, his judgment that Jefferson’s own draft was “superior” to the final draft because of its greater analytical clarity and persuasiveness is the judgment of a philosopher and a partisan, not a historian. Although I share White’s political preference for a government the purpose of which would be to “aid and abet men in attaining the ends proposed by God” rather than simply “making secure rights which have been given by God,” I have not seen evidence demonstrating that Jefferson shared that preference.

77. When the issue of slavery was raised in the debate over the Declaration of Independence, most northern delegates agreed not to antagonize southerners committed to its perpetuation. Jefferson’s rhetorical strategy in his draft pivoted on the pinnacle of indignation reached when he condemned George III for the greatest of all his crimes, waging “cruel war against human nature itself” by authorizing that “assemblage of horrors,” the slave trade. Later explaining why Congress deleted his condemnation of this “execrable commerce,” Jefferson pointed to Georgia and South Carolina, which depended on continuing the slave trade, and the “tender” feelings of “our northern brethren” who profited from shipping slaves, even though fewer owned slaves
themselves. He neglected to point out that his fellow Virginia slave owners were at least as likely to resist critiques of slavery as any other members of the Congress. Even so, for the rest of his life Jefferson professed unhappiness with the deletions Congress made in his draft, particularly those in which he had excoriated George III for the slave trade. He shared with Adams a fierce trust in his own judgment, both as a writer and as a political strategist. Jefferson’s draft is available in the text of the Declaration of Independence that he included in his Autobiography. See Jefferson, Writings, 19–24, and 16–18 for his account of the drafting and revising of the Declaration. On Jefferson’s owning of slaves while complaining about the slave trade, see the incisive analysis in Nash, The Unknown American Revolution, 210–12. Nash points out how many Americans—including Abigail Adams, James Otis, Thomas Paine, Arthur Lee, George Mason, and John Laurens, among others—had commented on the incongruity of slave holders complaining about slavery long before Samuel Johnson’s familiar quip about “the loudest yelps for liberty” coming from “the drivers of Negroes.”

78. Historians have disagreed about whether Jefferson was more indebted to the ideas of Thomas Reid, who considered the moral sense a rational faculty, or Francis Hutcheson. The evidence, particularly for Jefferson’s state of mind in 1776, is both inconclusive and less important than the realization that Jefferson, like the other members of the Continental Congress, believed that popular decision-making would be guided—and must be governed—by a universal moral code. Cf. White, who emphasizes Thomas Reid’s influence in The Philosophy of the American Revolution; and Garry Wills, Inventing America: Jefferson’s Declaration of Independence (Garden City, 1978), who stresses Francis Hutcheson’s ideas. Both draw on Jefferson’s later writings to sustain
their arguments, but White’s case for the rational intuitionism of Reid (and Kames) seems to me better grounded in the evidence from the period in which Jefferson wrote the Declaration. See also Julian Boyd, The Declaration of Independence: The Evolution of the Text as Shown in Facsimiles of Various Drafts by its Author (Washington, 1943); Henry F. May, The Enlightenment in America (New York, 1976), 405–6; Ronald Hamowy, “Jefferson and the Scottish Enlightenment: A Critique of Garry Wills’s Inventing America,” William and Mary Quarterly, 3rd ser., 36 (1979): 505–9; and Daniel Walker Howe, “European Sources of Political Ideas in Jeffersonian America,” Reviews in American History 10 (1982): 28–44. Despite all that has been written on the Declaration, there remains no clear indication of Jefferson’s own reasons for preferring the wording in his draft over that of the final version. On the editing of Jefferson’s draft, see the detailed account in Maier, American Scripture, 99–153. Vanity is almost always offered to account for Adams’s unhappiness with others’ tinkering with his writing or underestimating his importance; that factor might have played a part in Jefferson’s judgment of the Declaration as well.

79. The chaplain of the Massachusetts legislature, William Gordon, had admonished New Englanders at the dawn of the Revolution that a republican society of “comprehensive benevolence” could be constructed only by following God’s will. Jacob Duchê assured a Philadelphia congregation that only a God-fearing republic would serve as “the eminent example of every divine and social virtue.” William Gordon, A Sermon Preached before the Honorable House of Representatives (Watertown, 1765), 22; Jacob Duchê, The American Vine, a Sermon Preached in Christ-Church, Philadelphia, before the Honorable Continental Congress, July 20, 1775 (Philadelphia, 1775), 29.


84. Nine of the fifty-five delegates to the Constitutional Convention, including most notably James Madison, had degrees from the College of New Jersey. I discuss the relation between Witherspoon and Madison in chapter 9 below.

85. John Witherspoon, The Dominion of Providence over the Passions of Man, 1776, in Sandoz, Political Sermons of the American Founding Era, 1730–1805, 544. Witherspoon acknowledged that such praise of New England might strike readers as an odd, even convenient compliment in light of the war being fought. But he noted that his praise of New Englanders’ “invincible fortitude” was nothing new for him: this paragraph, he wrote, “is copied from a sermon on Psal. lxxiv, 22, prepared and preached in Scotland, in the month of August, 1758.”

86. Witherspoon contended that virtue also paid rewards of another kind. “Habits of industry prevailing in a society, not only increase its wealth, as their immediate effect, but they prevent the introduction of many vices, and are intimately connected with sobriety and good morals.” Witherspoon’s sermon offered a classic formulation of the Protestant ethic and the spirit of productivity, if not capitalism: “Industry, therefore is a moral duty of the
greatest moment, absolutely necessary to national prosperity, and the sure way of obtaining the blessing of God.” His readers had already embarked on the project of taking control of their own governments. They should remember that obedience to God’s will “is as much a natural mean, as a meritorious cause, of the advantage we wish to reap from it.” The struggle for independence enforced frugality, and for that reason it “stands in the most immediate connexion [sic] both with virtuous industry, and active public spirit. Temperance in meals, moderation and decency in dress, furniture, and equipage, have, I think, generally been characteristics of a distinguished patriot. And when the same spirit pervades a people in general, they are fit for every duty.” Witherspoon, *The Dominion of Providence over the Passions of Man*, 545–58. On Witherspoon, see also Jeffry H. Morrison, *John Witherspoon and the Founding of the American Republic* (Notre Dame, 2005); Thomas P. Miller, “Witherspoon, Blair and the Rhetoric of Civic Humanism,” and Peter J. Diamond, “Witherspoon, William Smith and the Scottish Philosophy in Revolutionary America,” in *Scotland and America in the Age of Enlightenment*, ed. Richard B. Sher and Jeffrey R. Smitten (Edinburgh, 1990), 101–14, 115–32; and Mark Noll, *America’s God: From Jonathan Edwards to Abraham Lincoln* (New York, 2002), 106–13.

87. Witherspoon’s counsel was multiplied countless times throughout the colonies. For a splendid survey of sermons delivered by ministers from a variety of Protestant denominations, all of whom linked God’s will with the colonists’ struggles against Britain, and the colonists’ virtue with God’s willingness to help them prevail, see those published between 1773 and 1781 by John Allen, Isaac Backus, Samuel Sherwood, Moses Mather, Abraham Keteltas, Jacob Cushing, Samuel Cooper, and Henry Cumings,

88. Abigail Adams to John Quincy Adams, January 19, 1780; and March 20, 1780, in *Adams Family Correspondence*, 3:268, 310.


90. Wood, *Creation of the American Republic*, 72n58, details the educational provisions of many of the new constitutions.


94. Abigail Adams to John Adams, March 31, 1776, in *Adams Family Correspondence* 1:370.

96. John Adams to Abigail Adams, April 14, 1776, in *Adams Family Correspondence* 1:397–98.


100. Although John agreed, at Abigail’s insistence, to allow their daughter Nabby to study Latin, he cautioned that she should keep it quiet, “for it is scarcely reputable for young ladies to understand Latin and Greek.” John Adams to Abigail Adams 2nd (i.e., Nabby), April 18, 1776, in *Adams Family Correspondence* 1:388. Adams also encouraged, and took pride in, Abigail’s own wide reading. He wrote to her from Passy, France, on December 2, 1778, “Have you ever read J. J. Rousseau? If not, read him—your Cousin smith has him. What a Difference between him and Chesterfield, and even Voltaire? But he was too virtuous for the Age, and for Europe. I wish I could not say for another Country.” Adams, *Revolutionary Writings, 1775–1783*, 172–74. For the evolution of historical understandings of Abigail Adams, which began to change dramatically in the 1970s when American feminists declared her a “Founding Mother,” see Edith Gelles, *Portia: The World of Abigail Adams* (Bloomington, 1992), 9–11. See also Dana Comi, “‘In the Shade of Solitude’: The Mind of New England Women, 1630–1805” (unpub. Ph.D. diss., Brandeis University, 2003), 180–88, 190–93.


103. See Nash, *The Unknown Revolution*, 216–32. Nash notes that most of the African Americans who took up arms in the war fought for the British, who had promised their freedom, against the Americans, who showed little interest in ending slavery. For the unifying effect that the war had on the town of Concord, Massachusetts, see Robert A. Gross, *The Minutemen and Their World*, 2nd ed. (New York, 2001), chap. 3. On the war and the army more generally, see Wayne E. Carp, *To Starve the Army at Pleasure: Continental Army Administration and American Political Culture, 1775–1783* (Chapel Hill, 1984); and Charles Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775–1783* (Chapel Hill, 1979).

104. The social and economic history of the American Revolution, so long neglected, is now a central preoccupation of many American historians. For an up-to-date overview of the issues and references to the literature, see the essays in Edward G. Gray and Jane Kamensky, eds., *The Oxford Handbook of the American Revolution* (New York, 2013). Other valuable recent accounts include Nash, *Unruly Americans*; Carol Berkin, *Revolutionary Mothers: Women in the Struggle for America’s Independence* (New York, 2005); Casandra Pybus, *Epic Journeys of Freedom: Runaway Slaves of the American

105. Louis Duportail’s letter, Papers of Sir Henry Clinton, William L. Clements Library, University of Michigan, Ann Arbor, is quoted in John Shy, A People Numerous and Armed (Ann Arbor, 2004), 20, 301n17.

106. Theophilus Parsons, Result of the convention of delegates holden at Ipswich (Newburyport, MA, 1778), 20, 11, 33. On Parsons and the Essex Result, and the broader transformation of which it was a part, see Wood, Creation of the American Republic, 216–21.
107. Diary entry, April 6, 1778, in Adams, *Diary and Autobiography* 2:296; John Adams to Abigail Adams, April 12 and December 2, 1778, in *Adams Family Correspondence* 3:9, 125.


111. Adams’s draft began by paraphrasing the preamble to Jefferson’s Declaration: “All men are born equally free and independent, and have certain natural, essential, and unalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting their property; in fine, that of seeking and obtaining their safety and happiness.” Note that Adams elevated “acquiring, possessing, and protecting” property to the status of an “unalienable” right, which Jefferson had not done in the Declaration of Independence. That right, however, like all rights as understood by Adams and all good republicans, was circumscribed by duties: Adams stressed the necessity of collecting taxes from citizens to pay for the crucial services government must provide. When Adams wrote that not merely pursuing but “obtaining” both “safety and happiness” likewise stands among men’s unalienable rights, he advanced a surprisingly ambitious claim—especially for someone as temperamentally pessimistic as Adams—concerning the possibilities of self-government.
Adams also declared religious observance an obligation of all citizens: “It is the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe.” But no one should be penalized “for worshipping GOD in the manner most agreeable to the dictates of his own conscience” so long as he does “not disturb the public peace, or obstruct others in their religious worship.” Given the traditions of religious intolerance in Massachusetts, that constituted a dramatic step. Adams judged religious faith indispensable because “good morals” are “necessary to the preservation of civil society,” and he believed that “the knowledge and belief of the being of GOD” provides “the only true foundation of morality.” For that reason the legislature should provide, at public expense, “a suitable support for the public worship of GOD” and for “the teachers of religion and morals.” But Adams also thought that all Massachusetts taxpayers should be able to direct their taxes to their own religious denomination, a novel means of institutionalizing religious pluralism in a culture notorious for its zeal in enforcing conformity. Although Adams’s commitment to the centrality of religion as the glue holding society together never wavered, his willingness to entertain—even facilitate—religious diversity showed how far he had traveled from the strict Calvinism that had troubled him in his youth. Most members of the convention were not persuaded by Adams’s latitudinarianism or by his arguments for broadening forms of religious observance. They inserted a provision for the state support, by tax revenues, of Congregationalism, which was not disestablished until 1833.

Adams’s draft was fully consistent with Jefferson’s submission, on returning to Virginia after the Continental Congress, of a Bill to Establish Religious Freedom.
Jefferson reasoned, as did Locke and other theists of the Enlightenment, that the conscience cannot be coerced, and that enforced religious observance is futile and counterproductive. The struggle for religious freedom required a lengthy campaign in Virginia, where Anglicanism had been the established religion since the founding of the colony, and came to fruition only in 1786. When the statute finally passed, it began with the telling words “Whereas Almighty God…” Adams’s and Jefferson’s experiences make clear that the attempt to establish the principle of religious tolerance met serious obstacles throughout the new nation. It made progress, when and where it did, within the context of a deep, wide, and continuing commitment to the centrality of religious faith. Although disputes persist concerning the number of Americans who were formally affiliated with particular congregations in the late eighteenth century, belief in the existence of God was taken for granted by the vast majority. Religious faith was rarely considered simply one option alongside agnosticism or atheism, both of which remained anathema in the new nation, as Tom Paine was to learn when he returned to America from Europe in 1802. Adams, *The Report of a Constitution*, 297–322; and see Jefferson, “A Bill to Establish Religious Freedom,” in *Writings*, 346–48.


114. [William Whiting], *An Address to the Inhabitants of the County of Berkshire...* (Hartford, 1778), 24–27.

115. That understanding also lay behind the arguments of influential proponents of the United States Constitution, such as James Wilson and James Madison, at the Constitutional Convention and during the debates over ratification. See chapters 8 and 9 below.

116. On this point cf. Robert Brown, *Middle Class Democracy and the Revolution in Massachusetts* (Ithaca, 1955); Michael Zuckerman, “The Social Context of Democracy in Massachusetts,” *William and Mary Quarterly*, 3rd ser., 25 (1968): 523–44; John Murrin’s review essay on the controversy in *History and Theory* 11 (1972): 226–75; and cf. the discussion of the Constitution as “Betrayal in Massachusetts” in Nash, *The Unknown Revolution*, 290–305. Clearly it matters whether one is looking at the eligibility of voters from the perspective of 1780 or from the perspective of the late twentieth century. If the eligibility rate for voters in Massachusetts was 80% of white male adults, is that a lot or a little at a time when fewer than 10% could vote in the highly touted republic of Geneva and fewer than 20% could vote in England? Does it affect our judgment of the colonies’ democratic quality when we know that fewer than 10% of eligible voters in South Carolina, fewer than 25% in New England, and fewer than 40% in Virginia bothered to cast ballots in colonial elections? The idea of democracy remained new, and the power of
deference remained great, throughout the eighteenth century, although there is evidence of increasing participation and increasing turnover among representatives later in the century. For judicious discussions of these issues, see Adams, *The First American Constitutions*, 198–200; Bernard Bailyn, *The Origins of American Politics* (New York, 1968), 107–24; and Zagarri, “Suffrage and Representation.” For the data, see Jack P. Greene, “Legislative Turnover in British America, 1696–1775: A Quantitative Analysis,” *William and Mary Quarterly*, 3rd ser., 38 (1981): 446–48; Butler, *Becoming America*, 90–98; David Hackett Fischer, *Albion’s Seed: Four British Folkways in America* (New York, 1989), 815; and Beeman, *Varieties of Political Experience in Eighteenth–Century America*, 54, especially the table that shows the number of representatives and the ratio of representatives to adult white men in each of the thirteen colonies in 1700, 1730, and 1770. In his appendices Beeman distills material from many sources to present data for all thirteen colonies on a wide range of issues, including qualifications for voting, participation in elections, legislative activity, and turnover rates.

117. On the large scholarly literature surrounding this transformation, see Pole, *Political Representation*, 277–79; and Wood, *Creation of the American Republic*, 184–85n42.

118. In light of the furor over the means of representing small towns, Adams necessarily addressed the mechanics of apportionment. In order “to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town, containing one hundred and fifty ratable polls, may elect one representative.” Because the category “ratable polls” included men from sixteen to twenty one as well as many of those with little or no property who nevertheless paid taxes, many of those not eligible to vote were nevertheless included for purposes of
determining representation. Smaller towns would “associate” with larger towns so that their citizens’ views might be heard. Adams intended to reassure residents of the state’s many villages that they would thus be actually rather than virtually represented, but protests had already been lodged against this existing practice, and it would continue to attract criticism. Towns twice as large were to have two representatives, and so it would go until eventually the size of the house became “unwieldy” and reapportionment became necessary. Forty senators would be elected by different districts, to be determined by legislation and population, consistent with the conviction that Adams shared with many of his contemporaries: members of the upper house should provide a broader view than those chosen for the lower house.

119. Thus not the wealth of individuals but of communities was to determine the allocation of Senate seats. The convention stated the principle clearly enough: “The House of Representatives is intended as the Representatives of the Persons, and the Senate of the property of the Common Wealth.” Massachusetts Constitution, part 2, section 2, article 1, in *Popular Sources*, ed. Handlin and Handlin, 437; and cf. Wood, *Creation of the American Republic*, 218; Pole, *Political Representation*, 342; and Adams, *The First American Constitutions*, 238–40.

120. Jefferson, *Notes on the State of Virginia*, in *Writings*, 245–46. This fascinating document, the only book Jefferson ever wrote, is discussed in detail below.


127. William Gordon proposed a change in nomenclature to signal the shift. Since “the Senate will be as much a representative body” as the lower house, that chamber should no longer be designated “the House of Representatives” but instead the “House of Assembly.” William Gordon, *Continental Journal* (Boston), April 9, 1778.


129. Reason and revelation provided the armature around which Cooper wrapped arguments from Voltaire on republics failed (Genoa) and flourishing (Switzerland), and from
Chatham, Burke, and other English critics on America’s glorious ascent from the ashes of Britain’s disastrous colonial policies. Cooper, *A Sermon on the Day of the Commencement of the Constitution*, 637, 639; and cf. the discussion of Sidney in chapter 5 above.

130. The grandeur of the Constitution of the Commonwealth of Massachusetts, now often proclaimed the longest-lived constitution still in effect anywhere, would be enhanced if its origins were less murky. Stephen E. Patterson, *Political Parties in Revolutionary Massachusetts* (Madison, 1973); Marc W. Kruman, *Between Authority and Liberty: State Constitution Making in Revolutionary America* (Chapel Hill, 1997); Ronald M. Peters, *The Massachusetts Constitution of 1780: A Social Compact* (Amherst, 1978); and Adams, *The First American Constitutions*.

131. Cooper drew on Montesquieu as well as Locke, Sidney, and Milton: “Virtue is the spirit of a republic; for where all power is derived from the people, all depends on their good disposition.” The architecture of the new state reflected the wisdom of countless republicans from the prophets of the Hebrew Bible to those of the Enlightenment. If the people “are impious, factious, and selfish,” Cooper warned, “if they are abandoned to idleness, dissipation, luxury, and extravagance; if they are lost to the fear of God, and the love of their country, all is lost.” Earlier republics had followed the path of Rome. A thirst for glory impelled them to expand; at home they had decayed. The American republic, by contrast, would resist the lure of empire and focus instead on making their new nation “a seat of knowledge and liberty, of agriculture, commerce, and arts, and what is more important than all, of Christian piety and virtue.” Cooper observed that his generation had the chance to compare the experience of other republics and other writers.
and choose “for ourselves, unencumbered with the pretensions of royal heirs, or lordly peers, of feudal rights, or ecclesiastical authority,” the form of government that we “judge most conducive to our own security and order, liberty and happiness.” As Adams observed, most people in history had found themselves bound by their circumstances, but Americans, Cooper wrote, “though surrounded by the flames of war,” nevertheless enjoyed the precious opportunity of “deliberating and deciding upon this most interesting of all human affairs with calmness and freedom.” Having now “framed the constitution under which you choose to live,” his contemporaries in Massachusetts would henceforth be “subject to no laws, by which you do not consent to bind yourselves.” Like the ancient Hebrews in Jeremiah’s account, all of their government officials—including their “Nobles” in the senate and their governor—“shall be of themselves” and “shall proceed from the midst of them.” Cooper also shared the awareness that Americans enjoyed an unprecedented and unparalleled opportunity. Uncannily echoing Adams’s own sense of the moment and suggesting how widespread it was, Cooper observed that British blunders had given the new nation “an inestimable opportunity,” one “rarely if ever” occurring in history, “to avail ourselves of the wisdom and experience of all past ages united with that of the present.” Cooper, *A Sermon on the Day of the Commencement of the Constitution*, 642–45, 647–48, 655.


136. [Benjamin Lincoln] “The Free Republican,” *Independent Chronicle*, November 24, 1785, to February 9, 1786; identified as Benjamin Lincoln in the copy of the *Boston Magazine* (in which the first six essays were initially published) in the Massachusetts Historical Society.


138. When General Cornwallis surrendered to Washington’s army at Yorktown, one of the tunes said to be played was “The World Turned Upside Down,” which dated from the

139. There has been much discussion of the idea of public sphere since Jürgen Habermas first articulated the concept in his analysis of the Enlightenment in the 1960s. See Habermas, *The Structural Transformation of the Public Sphere*; Craig Calhoun, ed., *Habermas and the Public Sphere* (Cambridge, MA, 1992), which includes Habermas’s response to critics who accused him of ignoring the dynamics of power and exclusion; Douglas Kellner, “Habermas, the Public Sphere, and Democracy,” in *Perspectives on Habermas*, ed. Lewis E. Hahn (Chicago, 2000), 259–88; Kloppenberg, *The Virtues of Liberalism*, 82–99; and John L. Brooke, “Consent, Civil Society, and the Public Sphere in the Age of Revolution and the Early American Republic,” in *Beyond the Founders: New Approaches to the Political History of the Early American Republic*, ed. Jeffrey L. Pasley, Andrew W. Robertson, and David Waldstreicher (Chapel Hill, 2004), 207–50.

140. See the discussion of Franklin’s 1785 warning in Edmund S. Morgan, *Benjamin Franklin* (New Haven, 2002), 307–8. For other warnings coming from Ezra Stiles in Connecticut and Benjamin Rush in Pennsylvania, see Noll, *America’s God*, 64–65. For a particularly pointed argument on the overall significance of religious convictions in the American Revolution, and the reasons why historians have lost sight of it, see Clark, *The Language of Liberty*, 389–90. As I have noted, I consider Clark’s overall argument overstated, but his reminder that those who fought the Revolution were overwhelmingly religious is accurate and important. See also Kloppenberg, *Virtues of Liberalism*, 38–46, for more detailed discussion of these issues in relation to the historiography on religion and the American Revolution.
141. [John Adams], “Letters from a Distinguished American,” no. 9, July 1780, in *Revolutionary Writings, 1775–1783*, 372.

Chapter 8


insolvency as a sign of wickedness or folly, and the slowly emerging view that finally culminated in bankruptcy laws for individuals as well as commercial institutions.

4. A population under fifty thousand generated two thousand cases at the same time in the Worcester County Court of Common Pleas; more people in the town of Springfield were in debt than were solvent. On conditions in Massachusetts, see Handlin and Handlin, *Commonwealth*, 3–50. For concise accounts of the reasons for and the consequences of the new nation’s economic challenges, see Stephen Mihm, “Funding the Revolution: Monetary and Fiscal Policy in Eighteenth-Century America,” and Terry Bouton, “The Trials of the Confederation,” in *The Oxford Handbook of the American Revolution*, ed. Edward Gray and Jane Kamensky (New York, 2013), 327–51, 370–87.

5. For vivid portraits presented from these varied perspectives, see Woody Holton, *Unruly Americans and the Origins of the Constitution*, 3–176.


15. James Wilson, *Commentaries on the Constitution of the United States of America, with that Constitution prefixed, in which are unfolded, the principles of free government, and the superior advantages of republicanism demonstrated* (London, 1792), 68.

uncharacteristically signaled his alarm by encoding many of his words in cipher, which I will render in italics. Citing “credible information” indicating that people in the western regions of the country “are already in great agitation and are taking measures for uniting their consultations,” Madison predicted that the “ambition of individuals will quickly mix itself with the original motives of resentment and interest,” and eventually these dissidents would be in touch “with their British neighbors.” British agents were already plotting to multiply these isolated seditious and secessionist elements, he warned, and in that case Spain, then France, would not hesitate to join the international fracas haunting Madison’s dreams. Even though the Shaysites had been disarmed by the time Madison wrote, his fears had not abated. Madison to Jefferson, March 19, 1787, in James Madison, Writings, ed. Jack Rakove (New York, 1999), 66. It was not the first time Madison had resorted to code. On August 11, 1783, he had written a letter to Jefferson in which he masked the news that he had been jilted by a girlfriend. See PJM 7:268–69.

17. As Madison, Wilson, and many other Americans knew, Montesquieu had warned that all democracies disappear when the desire for wealth replaces virtue, and they worried that the United States would be only the latest in an endless series of popular governments to fail. For a comprehensive survey of the various forms of unrest during the mid–1780s, see Nash, The Unknown American Revolution; and Holton, Unruly Americans and the Origins of the Constitution. On Madison’s misgivings about the involvement of those with no experience in politics, see Gordon Wood, “Interests and Disinterestedness in the Making of the Constitution,” in Beyond Confederation: Origins of the Constitution and American National Identity, ed. Richard Beeman et al. (Chapel Hill, 1987), 128–61. For a particularly pointed statement of these anxieties, see the first part of Madison’s letter to
Jefferson, August 12, 1786, in *Writings*, 52–59. In the closing paragraphs of that letter Madison tried to interest Jefferson in a land deal he and Monroe were cooking up on the Mohawk River in New York, a deal that Jefferson politely declined to accept. It is important to remember that, like James Wilson and Robert Morris, these Virginia planters were not only visionary statesmen but also ambitious businessmen. So too, it is important to remember, were many ordinary American farmers, who sought access to credit and went into debt to increase their land holdings. Not only the wealthiest Americans expected to profit from the greater prosperity they anticipated in an expanding economy. For a well-balanced discussion of this tension, see Gordon Wood, *The Radicalism of the American Revolution*, 215–25, 243–70.

18. See the discussion of Wilson’s *Considerations* in chapter 6 above.


21. Criticism of Wilson as a greedy speculator only posing as a democrat began during Wilson’s life and continued through the influential portraits of Charles Beard, Merrill Jensen, and more recent commentators such as Nash, *The Unknown American
Revolution, 318–19; Holton, Unruly Americans and the Origins of the Constitution, 197, 201, 211, 243; and Bouton, Taming Democracy, 68–69, 172–85. For a concise survey of these critiques through the mid-1990s, see Hall, The Political and Legal Philosophy of James Wilson, 34n70.


26. See the discussion of the Virginia Constitution in chapter 7 above.

27. When Jefferson returned from the Continental Congress to participate in the Virginia debates, he joined with Madison and Henry in the campaign to remove the remaining powers of the state to license preachers and the continuing reliance on parishes to perform some civil functions. Jefferson took great pride in the bill he introduced in 1779, the Statute for Establishing Religious Freedom, but not until the next decade did he and Madison succeed in achieving their goal of securing religious freedom by separating church and state. The point of their campaign was not to remove religion from a


29. On January 28, 1783, Madison delivered an address contrary to Virginia’s instructions and most delegates’ positions. Physically unimposing at just over five feet tall, the thirty-one-year-old Madison gave an arresting speech, which showed the analytical ability and earnestness that became his trademarks. If the individual states continued to make their own decisions about whether or not to fund the national government, Madison predicted, the United States would establish “our national independence on the ruins of public faith,” as should be clear to “every mind which retained either honesty or pride.” The nation could no longer continue to depend on the whim of state legislatures to pay its debts, particularly its debts to its soldiers. “The patience of the army has been equal to their bravery,” Madison concluded, “but that patience must have its limits.” The severity of the crisis was forcing Madison to reconsider the relation between a representative and those who sent him. Madison admitted that his “principles were extremely unfavorable to a disregard of the sense of constituents” who had instructed him how to vote. Though “the declared sense of constituents” should be taken as “a law in general to these
representatives, still there were occasions on which the latter ought to hazard personal consequences from a respect to what his clear conviction determines to be the true interest of the former.” Madison was right about his constituents, who did remain opposed, as did some the other delegates to the Congress, to a national system of taxes to fund the national debt. But the patience of the army did indeed prove limited. Only six months later, the ominous threat of unrest among unpaid members of the Continental Army forced Congress to move from Philadelphia to Princeton. Indispensable French funds and personnel had enabled the United States to defeat Britain militarily, but now its soldiers seemed ready to turn against their own government. Madison, “Notes on Debates,” January 28, 1783, in PJM 6:143–44, 146, 147. On the relation between these debates in Congress and the army’s resentments, and the wide range of interpretations historians have offered to make sense of these developments in light of the machinations of Morris and Hamilton, see Banning, Sacred Fire of Liberty, 29–39, 412–17, especially notes 77–108. On Britain, see John Brewer, The Sinews of Power: War, Money, and the English State, 1688–1763 (New York, 1983). On the ways in which the demands of the fiscal-military state shaped the forming of the United States Constitution, see Edling, A Revolution in Favor of Government; and on the Madisonian/Jeffersonian alternative to Hamilton’s vision, cf. Drew McCoy, The Elusive Republic: Political Economy in Jeffersonian America (Chapel Hill, 1980); and Peter S. Onuf, Jefferson’s Empire: The Language of American Nationhood (Charlottesville, 2000).

30. See Banning, Sacred Fire of Liberty, 88–91, whose account I follow here.

31. Madison’s “Memorial and Remonstrance” is in Writings, 29–36. Henry F. May contends, in The Enlightenment in America, 371n18–19, that Madison might have been the most
serious student of religion among those involved in shaping the United States Constitution. The same evangelical fervor that fueled the protests of Baptists and Methodists against assessment in Virginia manifested itself throughout the new nation. Petitioners in Massachusetts prefigured Madison’s “Memorial,” warning of the “Rivers of Blood which run from the Veins of Marters [sic]” when legislators presumed to regulate “religious [sic] Society.” For that protest from Ashby, Massachusetts, against the support of Congregational churches contained in the 1778 and 1780 Massachusetts Constitutions, see Handlin and Handlin, *The Popular Sources of Political Authority*, 634. On the relative decline of Anglican congregations and the explosion of Baptist and Methodist congregations during these years, see Stephen A. Marini, *Radical Sects of Revolutionary New England* (Cambridge, MA, 1982); and on the broader transformation of the religious landscape, Nathan O. Hatch, *The Democratization of American Christianity* (New Haven, 1989).


35. So enamored of this image was Jefferson that he offered several alternate versions of it in several letters written within the following year. To Abigail Adams he wrote “I like a little rebellion now and then. It is like a storm in the Atmosphere.” To the Adameses’ son in law William S. Smith he wrote more poetically that “the tree of liberty must be refreshed from time to time with the blood of patriots & tyrants. It is it’s [sic] natural manure.” Although these were the months during which Jefferson was enchanted by his recent acquaintance Maria Cosway, he had not altogether softened his political edge. Immediately after minimizing the danger of rebellion, he cautioned Madison sternly concerning the danger of losing navigation rights on the Mississippi. Moreover, he did acknowledge that Madison had been correct in his skepticism about John Adams, with whom Jefferson had been in close contact while they toured English gardens in preceding months. But his judgment showed admirable balance and insight: Adams, he wrote, is “vain, irritable, and a bad calculator of the force & probable effect of the motives which govern men. This is all the ill which can possible be said of him. He is as disinterested as the being which made him; he is profound in his views: and accurate in his judgment except where knowledge of the world is necessary to form a judgment.” Jefferson to Madison, January 30, 1787, in *Writings*, 881–87.


42. Adams to Francis Adrian Vanderkemp, April 20, 1812, Adams Papers, reel 118, Massachusetts Historical Society.


44. Adams, *Defence*, in *Works* 6:142, 95. Jefferson wrote in February of 1787 to congratulate Adams and express the “infinite satisfaction and improvement” the book brought him and his belief that it would do “great good.” “It’s [sic] learning and it’s [sic] good sense will I hope make it an institute for our politicians, old as well as young.” More than mere politeness, Jefferson’s letter reflected his agreement with the central argument of the *Defence*. Many of Adams’s specific critiques of the American constitutions, particularly the lack of a strong executive and the lack of a clear distinction between the Assembly and the Senate, paralleled the reservations about Virginia’s constitution expressed in Jefferson’s *Notes on the State of Virginia*. Jefferson had admitted in an earlier letter to Madison his impatience with Adams’s vanity and irritability; see note 35 above. But he nevertheless commended the *Defence* to his fellow Virginian. Adams had shown himself in Paris to be “so amiable,” Jefferson concluded, that Madison “will love him, if ever you become acquainted with him.” That prediction proved off the mark, both in the short and long term. Madison did read the *Defence*, and he admitted to Jefferson that it had “merit.”


47. Madison’s prediction concerning the hostile reception of Adams’s Defence proved accurate, not only at the time but ever since. Madison to Jefferson, June 6, 1787, in Madison, Writings, 95–97. It is striking that this letter is dated the same day as Madison’s opening speech at the Constitutional Convention, the speech in which, as I will make clear in chapter 9, he emphasized the democratic quality of the Virginia Plan for the federal constitution. In his later writings, of course, Madison would position the Constitution, which incorporated many elements resembling those Adams sketched out in his Defence, as the most stable as well as most responsive form of popular government. On the persistent misreadings of Adams’s Defence, see Thompson, Adams and the Spirit of Liberty. From Thompson’s perspective, Adams’s heartfelt opposition to hereditary aristocracy shows that his Defence cannot be read as an apology for separate and permanent social orders but represents instead a hard-headed defense of meritocracy. For the most influential of the interpretations against which Thompson writes, see Wood,
Creation of the American Republic, 567–92; and Wood’s only slightly revised version in Revolutionary Characters: What Made the Founders Different (New York, 2006), 173–202. On uses of Adams’s Defence at the Constitutional Convention and in the ratification debates, see Darren Staloff, Hamilton, Adams, Jefferson: The Politics of Enlightenment and the American Founding (New York, 2005), 194–96. For the clearest statement of Adams’s eerily prescient prediction of the course that the French Revolution would take, see the first volume of his Defence, written almost two years before the outbreak of the Revolution, in Works 4:406; and see the discussion in Thompson, 95–96, 103–5, and especially 175–76. The immediate reception of Adams’s Defence was hardly as negative as later commentators have suggested. Benjamin Rush, for example, wrote “I owe more than I can express to you for your excellent volumes upon government,” and he promised Adams that “They shall be the Alcoran [Koran] of my boys upon the great subject of political happiness.” See Rush to Adams, July 2, 1788, in The Letters of Benjamin Rush, ed. Lyman H. Butterfield, 2 vols. (Philadelphia, 1951), 1:468. Rush also wrote to Richard Price that “Mr. Adams’ book has diffused such excellent principles among us that there is little doubt of our adopting a vigorous and compounded federal legislature. Our illustrious minister in this gift to his country has done us more service than if he had obtained alliances for us with all the nations in Europe.” See Rush to Price, June 2, 1787, in Letters, 1:418. For further evidence of the praise lavished on the book in the US, Britain, and France, see Thompson, John Adams and the Spirit of Liberty, 250–54.

between Madison’s studies and the federal idea, see Alison LaCroix, *The Ideological Origins of American Federalism* (Cambridge, MA, 2010).

49. It is important to keep in mind, however, how contingent the Constitutional Convention was. Those who planned and executed it had no warrant for it, and there was considerable ambivalence throughout the United States about the entire project. For a particularly vivid recent portrayal of this uncertainty, see the opening pages of Pauline Maier, *Ratification: The People Debate the Constitution, 1787–1788* (New York, 2010), 1–26.

50. On the process whereby Madison came to see the desirability of a Constitutional Convention, the best account is Banning, *Sacred Fire of Liberty*, 43–75.

51. Madison, “Vices of the Political System of the United States,” in *Writings*, 69–71. Madison returned to the task of explaining why the Constitutional Convention was called some time between 1830 and 1836, when he wrote a preface to his *Notes of Debates in the Federal Convention of 1787* prior to its publication in 1840. It is striking how closely his account of the overarching concerns with inadequate federal authority in that preface, which he entitled “A Sketch Never Finished Nor Applied,” echoed the reasons offered in “Vices.” See *Writings*, 828–41. On Madison’s economic ideas, see Drew McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill, 1979).


53. Madison, “Vices of the Political System of the United States,” 71–76. Some political scientists treat Madison as a contemporary at least in part because of his awareness of the problems of collective action and free riding. For a sampling of such analyses, see
Samuel Kernell, ed., *James Madison: The Theory and Practice of Republican Government* (Stanford, 2003). In his introduction to the collection, Kernell writes that Madison “thinks like an economist and reasons like a game theorist” (14). That judgment shows respect for the significance of Madison’s insights but little understanding of the vast differences that separate his world, and his world view, from that of contemporary social scientists, most of whom are less interested in issues of Christian, moral, and civic virtue, and more interested in a stripped-down version of self-interested “rational actors,” than were Madison and other members of his generation.


55. Not content with the notion of politics as a slugfest in which individuals compete by advancing their own narrow self-interest, the image Rousseau deprecated as “the will of all” rather than the “general will,” Madison was struggling to find the words to express his alternative. In April of 1786, he had not yet come up with the metaphors of filters and sieves that would become clear to him as he participated in the Constitutional Convention. But he was already on that path. He was trying to find a way to explain how citizens’ participation in the democratic process of multiple elections, the deliberations of representatives, and the two-way communication between representatives and their constituents might—through an endless and apparently conflict-ridden series of arguments—bring into being the closest approximation of the common good that flawed human beings could create. Madison, “Vices of the Political System of the United States,” 78–80; Madison writing as Publius, *Federalist* 51, 298. On the related versions of this argument offered by Rousseau and Paine, see chapters 5 and 7 above. See also Robert Burt, *The Constitution in Conflict* (Cambridge, MA, 1992), 96–98; and on

56. Findley admitted that he pursued wealth himself; he owned “more land than I can make a proper use of.” Unlike those backing the bank, however, he enjoyed only enough wealth “to give a spring to industry” and “procure the necessaries and a competence of the comforts of life.” He had been lucky; many of his constituents had lost everything in the post-war downturn. Findley feared that great wealth not only fed a yearning for greater wealth, getting rich at the expense of others also betrayed the moral principle of sympathy. Findley was incensed that Morris invoked republican virtue to camouflage his real motives, the sin Americans had accused the British of committing for decades. Morris claimed to have the public interest at heart, but because he was “interested in it personally,” he and his associates were effectively “acting as judges in their own cause.”

“economic rationality,” and the “pursuit of self-interest.” I have quoted liberally from Findley because I think his position is more complicated than most accounts have acknowledged. Findley feared that great wealth would translate into political power and argued that “wealth in many hands operates as many checks.” According to Bouton, historians who have taken Findley as “the mouthpiece of economic liberalism and of an idea of democracy that equated with [sic] the unrestrained pursuit of one’s own self-interest have quoted selectively from Findley’s pronouncements and often taken his words out of context.” Although Bouton makes a convincing case for Findley’s commitment to rough economic equality, he does not address Findley’s ideas about the appropriate role of calculations of personal interest in politics. See Bouton, Taming Democracy, 106–9, 289n7.

57. Madison to Caleb Wallace, August 23, 1785, in Writings, 39–47.

58. Benjamin Franklin, James Wilson, Robert Morris, and Gouverneur Morris would be able to live in their comfortable homes during the summer of 1787, while the other delegates (except the venerable Washington, who accepted his friend Robert Morris’s invitation to be his houseguest) stayed in boarding-houses. Washington to Madison, March 31, 1787, in The Papers of George Washington, Confederation Series, 6 vols. (Charlottesville, 1992–), 5:115; Madison to Washington, April 16, 1787, in Writings, 80–85; Washington, “Notes on the sentiments on the government of John Jay, Henry Knox, and James Madison,” in Papers 5:163–66.

59. Madison’s comment on Richard Morris quoted in Richard Beeman, Plain, Honest Men: The Making of the American Constitution (New York, 2009), 48; see also 44–57. One of Gouverneur Morris’s speeches in particular shows the gap between him and Richard
Morris, on the one hand, and Wilson and Madison on the other. On July 1 Gouverneur Morris argued that Senators “should have great personal property” so that “the aristocratic spirit” could pervade the Senate. “It must love to lord it thro’ pride, pride is indeed the great principle that actuates both the poor & the rich.” As Hamilton did, Morris called for life tenure in the Senate: “The aristocratic body, should be as independent & and as firm as the democratic.” Only if placed in a separate chamber, Morris insisted, could the “aristocratic interest” be prevented from dominating the “popular interest.” See Notes of Debates in the Federal Convention, 233–35. For a detailed account of the two-front war fought by Madison, Wilson and their allies who sought to establish a strong national government without endorsing the domination of that government by the financial elites envisioned by Robert Morris and Hamilton, see Edling, A Revolution in Favor of Government. For insight into the reasons why—and on Wilson’s likely role in determining that—the chief executive of the government would be called the president, I am grateful to Sidney Milkis.

60. The first scholar to criticize the Constitution as a repudiation of the democratic thrust of the Revolution was Charles Beard, An Economic Interpretation of the Constitution of the United States (1913; New York, 1961). That tradition has continued until the present. For recent critiques see Robert A. Dahl, How Democratic Is the American Constitution? (New Haven, 2002); and Sanford Levinson, Framed: America’s Fifty-One Constitutions and the Crisis of Governance (New York, 2013).

61. Jared Sparks, journal entry, April 19, 1830, in Max Farrand, ed., The Records of the Federal Convention of 1787, 3 vols. (New Haven, 1911), 479. This passage, usually attributed to Madison himself, serves as the epigraph for Cass Sunstein, The Partial

62. Jefferson to Adams, August 30, 1787, in Writings, 906–9; George Mason to George Mason Jr., June 1, 1787, in Farrand, Records 3:33; Madison in Farrand, Records 1:13; and cf. the more critical assessment of these procedures in Beeman, Plain, Honest Men, 79–85.


65. For Sherman’s, Gerry’s, and Randolph’s remarks, see Madison, *Notes of Debates*, 39–42.


67. For Pierce’s portrait of Wilson, see Farrand, *Records* 3:91–92.

68. See Bruce H. Mann, *Republic of Debtors: Bankruptcy in the Age of American Independence* (Cambridge, MA, 2002), on the tangled webs of borrowing that ensnared even small farmers and artisans operating in a world of people with big ambitions and little money.

69. As he did in “Vices,” Madison outlined the multiple rifts in every society, adding classical allusions and contemporary illustrations. In his own day some debtors “have defrauded their creditors,” in others “the landed interest has borne hard on the mercantile interest,” and in still others “holders of one species of property” have taxed disproportionately “holders of another species.” Madison’s diagnosis was accurate: from the humblest farmers to the richest financiers, many, perhaps even most, Americans in the mid-1780s both owed and lent money. There was plenty of ambition, and plenty of injustice, to go around. Madison’s speech of June 6, 1787, is in *Notes of Debates*, 75–77, and in *Writings*, 92–93. I will return to Madison’s phrases “the democratic form of
government” and the “inconveniences of democracy” when examining his celebrated argument in *Federalist* 10 in chapter 10 below. On Madison’s experience at the Convention, and the ways in which he changed his own positions in response to others’ arguments even as he remained committed to a democratic procedure as the best guarantee of his ideals of liberty and justice, see Rakove, *Original Meanings*; and Banning, *The Sacred Fire of Liberty*, 111–91, which also contains a masterful discussion of the vast secondary literature on the Constitutional Convention. Alan Gibson, *Interpreting the Founding: Guide to the Enduring Debates over the Origins and Foundations of the American Republic* (Lawrence, KS, 2006), is a more recent attempt to provide a well balanced overview of these contentious debates.

70. Forest McDonald, in *Novus Ordo Seclorum: The Intellectual Origins of the Constitution* (Lawrence, KS, 1985), 205–9, argues that only thirty-one of Madison’s seventy-one specific proposals made it into the Constitution. It can be argued that the Supreme Court ended up playing a role similar to that Madison envisioned for the national government vis-à-vis state legislatures, but the delegates to the convention had no idea how crucial these justices, appointed for life, would prove to be; in 1787 no one knew how judicial review would operate. I am grateful to Michael Klarman for stimulating conversation on this point. See also Max M. Edling, “A More Perfect Union: The Framing and Ratification of the Constitution,” in Kamensky and Gray, *The Oxford Handbook of the American Revolution*, 396–97.

71. Mason in Farrand, *Records* 2:94; Gerry in Farrand, *Records* 2:114; Wilson in Farrand, *Records* 2:103. The ultimate resolution of this conundrum, the electoral college, was almost an afterthought, and it did not take long—the contested election of 1800—for
evidence to emerge showing just how poorly thought-out was the Convention’s scheme. On the presidency and the electoral college, see Rakove, *Original Meanings*, 244–68.

72. Hamilton in Farrand, *Records* 1:146. For Butler’s remarks, see *Notes of Debates*, 63. Hamilton’s speech of June 18, 1787, in *Notes of Debates*, 129–39, shows the chasm dividing his approach to government from Madison’s and Wilson’s, and indeed from those of almost all the other delegates at the Convention. The belief that Madison and Hamilton were like-minded because they agreed to collaborate on the *Federalist* is difficult to sustain in light of Madison’s speech on June 6 and Hamilton’s twelve days later. Theirs was a strategic alliance for the sole purpose of achieving ratification of the Constitution. Both before and after that brief moment of cooperation, their distinctly different sensibilities were apparent in their writings and their activities. Hamilton’s role at the Convention has been the subject of spirited debate. His call on June 18 for life tenure for the president and senators might actually have been calculated to generate support for the more moderate plan advanced by the Virginians. Moreover, because the rest of the New York delegation had already left Philadelphia, Hamilton’s decision to return home at the end of June is easier to understand: New York lacked a quorum and thus no longer had a vote in the proceedings.

73. Although George Read of Delaware wanted to replace the Articles of Confederation, he announced that the Delaware delegation was under strict instructions to oppose any plan that deviated from equal representation of each state. Delaware’s John Dickinson, who had trained Wilson in the law and was among the architects of the Articles of Confederation, and Roger Sherman from Connecticut argued that the Convention needed to recognize the importance of the states as states, an argument with the force of tradition
on its side. Farrand, *Records* 3:574–75; and see the discussion of the debates over this issue in the first Continental Congress in chapter 7 above.

74. Madison’s July 9 speech is in *Writings*, 101–8. The record does not show how many delegates were still awake when Madison finished his exhaustive and exhausting history of the world’s experiments in confederation. Although I have emphasized the importance of Madison’s commitment to popular sovereignty in the Constitutional Convention, it is worth noting that he proposed a nine-year term for Senators, a dramatic departure from the annual elections in state legislatures. As he made clear in his letter to Caleb Wallace, he thought a longer term appropriate for an upper house designed to provide stability and temper the rashness he thought state legislatures had shown during the mid-1780s.

75. The notorious three-fifths clause has often been taken to indicate the triumph of the South over the North, but it might just as easily be seen, as indeed it was seen by Frederick Douglass and others, as a defeat for the South. Don Fehrenbacher, *The Slaveholding Republic: An Account of the United States Government’s Relations to Slavery* (New York, 2001), points out that the alternative to the three-fifths compromise under discussion in 1787 was to count slaves as full persons for the purposes of apportioning representatives, just as women and children were counted, an outcome that would have increased substantially the number of congressional representatives from southern states.

76. Wilson compared the proposed Senate to the most rotten of England’s notorious rotten boroughs; both he and Madison tried to show how unlikely was the feared alliance among large states. Madison trotted out even more historical examples to show how often large provinces and regions—from the cases of Rome and Carthage to those of France and England—had torn each other apart instead of uniting to dominate their smaller and
weaker neighbors. Above all, however, both emphasized the injustice of the scheme, its betrayal of majority rule and “the just principle of representation,” as Wilson put it. Are we designing a Constitution “for men,” Wilson asked, “or for the imaginary beings called States?” Would Americans accept such “metaphysical distinctions? Will they, ought they to be satisfied with being told that the one third compose the great number of States? The rule of suffrage ought on every principle to be the same in the 2nd as in the 1st branch.”

Wilson’s speech of June 30, 1787, is in Notes of Debates, 220–22.

77. Farrand, Records 1:197–98.

78. Madison viewed the result as a far more bitter defeat than his loss of the national veto over state legislation, and many commentators have traced his later alignment with Jefferson and other southerners on the issue of states’ rights to his disillusionment with small-state delegations from the North who opposed him in Philadelphia. For Wilson’s major speeches relating to these issues, see Madison, Notes on Debates, 208, 220–22, 226, 295; and for Madison’s, 204–8, 213–15, 223–25, 228, 239–40, 263, 292–95, and Madison, Writings, 108–27. An enormous amount has been written on the subject of Madison’s nationalism, and the issues are complex and difficult to resolve. Of the available interpretations, I find most convincing the developmental approach offered in Banning, The Sacred Fire of Liberty, 138–64. See also the fine essay by Gordon Wood, “Is There a ‘James Madison Problem’?” in Wood, Revolutionary Characters: What Made the Founders Different (New York, 2006), in which he subtly revises his earlier interpretation in Creation of the American Republic of Madison’s role at the Convention.

79. Some delegates thought the decision should be left to the states, since their practices were hardly uniform, and, as Wilson pointed out, it would be “very hard & disagreeable for the
same persons at the same time, to vote for representatives in the State Legislature and to be excluded from a vote for those in the National Legislature.” In ten states, to cite just one example of such diversity, free blacks enjoyed the right to vote. In New Jersey, women had already been voting for over a decade. Gouverneur Morris urged the Convention to act responsibly by setting a minimum standard for the franchise; some delegates advocated limiting the vote to taxpayers, others to those owning property. But Mason observed that “eight or nine states have extended the right of suffrage beyond the freeholders.” What would those people say, he asked, “if they should be disfranchised”? In a frequently quoted speech, Madison replied that “the right of suffrage is certainly one of the fundamental articles of republican government.” He was opposed to leaving the decision up to the state legislatures: that had been the “mode in which Aristocracies have been built on the ruins of popular forms.” Moreover, he shared Mason’s concern about the reaction in states in which “the right was now exercised by every description of people.” On the other hand, he was not oblivious to the problems identified by those who worried about a very broad franchise. The dangers already signaled by scattered agrarian revolts were no mirage. Suppose, he suggested, that in the future “a great majority of the people” might be not only “without landed, but any other sort of, property.” Such people might ally with each other, “in which case, the rights of property & the public liberty, will not be secure in their hands.” More likely, though, Madison concluded on the basis of his study of ancient and modern history, the propertyless would “become the tools of opulence and ambition, in which case there will be equal danger on the other side,” with bribery and corruption of the sort common in England the likely result. See Sean Wilentz, *The Rise of American Democracy: Jefferson to Lincoln* (New York, 2005), 806n39; and

80. Only Delaware voted in favor of Gouvernor Morris’s proposal to limit the franchise; the Maryland delegation was divided. All the other states, including Virginia and Pennsylvania, voted no. See *Notes of Debates*, 401–5. For Madison’s reflections on the learning that occurred during the debates, see Farrand, *Records* 3:455. See also the discussion of this issue in Banning, *The Sacred Fire of Liberty*, 112, 139, 146, and 170–71.


85. See Davis, *Inhuman Bondage*, 144. The most recent attempt to make sense of Madison’s views on slavery is Andrew Burstein and Nancy Isenberg, *Madison and Jefferson* (New York, 2010); see especially 631–40 for their well-balanced assessment. In 1791 Madison made preliminary notes for an essay demonstrating the incompatibility of slavery and democracy. He never published it. His notes for that proposed *National Gazette* essay are in *PJM* 14:163–64.

86. The idea of the three-fifths ratio, proposed by the slave-owning delegates from South Carolina, appeared originally in 1783, when delegates to the Confederation Congress were wrangling over whether each state’s payments to the central government should be proportional to that state’s wealth. Because it was estimated that a slave produced roughly 60 percent of the economic value of a free laborer, it was proposed that each
slave should be counted as three-fifths of a person when calculating that state’s contribution. Although the scheme was never enacted, the ratio stuck in the minds of those who convened in Philadelphia four years later. At the Constitutional Convention, the alternatives to considering each slave as three-fifths of a person when calculating the population of slave states included counting each slave as a person—one who would enjoy no vote or other rights of citizenship—which would have given the South a decisive advantage in the House of Representatives, or not counting slaves at all, which delegates from the deep South said would cause them to abandon the Convention. Thus a notion initially concocted for one purpose, determining the revenues owed by states to the impoverished central government, was resurrected for another, and it served as one minor piece in complex negotiations between North and South that postponed for seventy-five years the nation’s ultimate reckoning with the issue of slavery. When that reckoning came, it ripped apart the union woven by the delegates to the Constitutional Convention.


90. At the Convention, Mason echoed Jefferson’s lament: slavery had “the most pernicious effect” on “the manners” of every white southerner, who “is born a petty tyrant” and learns to “despise labor.” Mason in Farrand, *Records* 2:370; see also Helen Hill Miller, *George Mason, Gentleman Revolutionary* (Chapel Hill, 1975), 55–56; and see the discussion of Mason and slavery in chapter 7 above.

91. Hendrik Hartog, “The Constitution of Aspiration and ‘The Rights That Belong to Us All,’” *Journal of American History* 74, no. 3 (December 1987): 1013–34, remains a valuable meditation on the double-sided character of the Constitution. Hartog exposes not only its limitations, as seen from the perspective of fifteen historians writing on the occasion of its bicentennial, but also the role of the Constitution in establishing rights not only as trumps but also as “a duty on public authority to undo—to destroy—the structures that maintain hierarchy and oppression”; in other words, to fulfill the democratic promise it established for the nation. Recent discussions of these issues include Davis, *Inhuman*
Chapter 9

1. Also laboring on the final draft was Gouverneur Morris, Madison’s and James Wilson’s closest associate at the convention and the likeliest author of the ringing preamble that located the power of the Constitution in the people themselves rather than the states. For an energetic defense of the proposition that the preamble establishes the fundamental democratic commitments of the Constitution, see Akhil Amar, *America’s Constitution: A Biography* (New York, 2005), 5–10, 57–69.

2. Much of the controversy surrounding Madison’s position has come from critics who disagree with his analysis of politics. Those who believe politics is about nothing but self-interest, whether from the right or the left, either distort Madison’s position in order to enlist him into their ranks or dismiss him as an apologist for antidemocratic conspiracies he never joined. The best antidotes to such analyses are the most thorough recent studies of Madison’s role in these years: Jack N. Rakove, *Original Meanings: Politics and Ideas in the Making of the Constitution* (New York, 1996); and Lance Banning, *The Sacred Fire of Liberty: James Madison and the Founding of the New Republic* (Ithaca, 1995).


about the office of the presidency, which he described as a “bad edition of a Polish king.” The fact that the president could be re-elected to successive four-year terms meant, Jefferson feared, that he would be “an officer for life.” Jefferson to Adams, November 13, 1787, in Writings, 912–14.


8. In other words, despite my agreement with Robert A. Dahl’s argument in How Democratic Is the American Constitution? (New Haven, 2002) concerning the document’s shortcomings from our perspective, considering it historically I share Akhil Amar’s judgment in America’s Constitution that the Constitution advanced the cause of popular government and provided the framework for future democratization, a process
that can, at least in principle, continue as long as the United States exists. That is an essential feature of democracy.

9. Several dichotomies have been used to characterize the differences between those in favor and those opposed to ratification—including liberal vs. republican, Court vs. Country, cosmopolitan vs. local, conservative vs. radical, forward-thinking vs. tradition-bound, and, perhaps most common of all, elites vs. the common people—but none of those binaries captures the range of individuals involved or opinions expressed between the fall of 1787 and the summer of 1788. A few wealthy supporters of the Constitution, such as Alexander Hamilton and Robert Morris, did aim to build a powerful fiscal-military nation-state, tightly controlled by an elite of financiers and merchants and firmly committed to stable credit, a standing army, and centralized government. The most detailed account of these Federalists’ interest in establishing a nation capable of raising men and money for military adventures is Max M. Edling, *A Revolution in Favor of Government: Origins of the U. S. Constitution and the Making of the American State* (Oxford, 2003). He builds on arguments advanced by European historians and historical sociologists, including those in Charles Tilly, ed., *The Formation of National States in Western Europe* (Princeton, 1975); Tilly, *Capital, Coercion and European States, AD 990–1990* (Oxford, 1990); and for Britain, John Brewer, *The Sinews of Power: War, Money and the English State, 1688–1783* (London, 1989). Although my analysis of the ratification debate focuses on democracy, Edling’s analysis makes clear that some Federalists—although certainly not Madison, which helps explain why he later split from Hamilton—were more interested in fiscal-military state formation than in establishing institutions of representative democracy. The most implacable opponents of the
Constitution, including those drawn toward the separatist movements that had developed in the western regions of Virginia, North Carolina, Pennsylvania, New York, and Massachusetts in the 1780s, were wary of all government beyond their own communities. Some radical proponents of local control, who thought even the Articles of Confederation threatened community autonomy, judged any increase in national authority incompatible with their ideas of democracy. The most thorough account of the range of Antifederalist ideas is Saul Cornell, *The Other Founders: Anti-Federalism and the Dissenting Tradition in America, 1788–1828* (Chapel Hill, 1999).


11. “William Penn,” *Independent Gazetteer* (Philadelphia), January 2 and 3, 1788, in *The Complete Anti-Federalist*, ed. Herbert Storing, 7 vols. (Chicago, 1963–81), 3:168–73. Like Madison, Penn believed that the wisdom necessary for constitution writing was already contained in the “book of constitutions of the different states,” which “reflects such a mass of light as would have dazzled the greatest philosophers of antiquity. After the holy scriptures, it is certainly that book which contains the greatest store of eternal truths” concerning “the nature of government.” He singled out the Massachusetts Constitution, which showed how much American thinking deviated from that of Locke and Sidney. Penn endorsed Adams’s idea of “a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good.” On the shared assumptions of
Antifederalists and Federalists, see Herbert Storing, *What the Antifederalists Were For* (Chicago, 1981), 5; and Edling, *A Revolution in Favor of Government*, 31–32. Note that this emphasis on a shared commitment to democracy does not deny the existence of deep social and economic conflicts, which surely predated and persisted after the ratification debates. But spirited disputes over the rules of the game presumed a shared commitment to the principle that the people must consent to those rules.


15. George Mason’s speech in the Virginia Convention, June 17, 1788, in *DHRC* 10:1342.


17. Benjamin Gale’s speech in the Killingworth town meeting, November 12, 1787, in *DHRC* 3:421; *Carlisle Gazette*, March 5, 1788. The *Massachusetts Centinel* observed that northerners thought “that in the new Constitution, the southern states have
preeminence,” whereas southerners thought “in all things the eastern states out-wit and unhinge us.” Because the complaints balanced out, the Constitution was deemed fair by many commentators. *DHRC* 4:419.

18. On these divisions, see Cornell, *The Other Founders*. Cornell’s convincing demonstration of the diversity of the Antifederalists and their arguments shows why it is no longer plausible to treat the Antifederalists as if they expressed a unified sensibility. This is one of the few arguments in Wood’s *Creation of the American Republic* with which I disagree. On 475–84, Wood concedes that the Antifederalists included a wide range of individuals, including some as wealthy as any Federalists. Nevertheless, he concludes on 485 that the “quarrel” over the Constitution “was fundamentally one between aristocracy and democracy.” I do not believe the evidence sustains that judgment. Wood’s own more recent writings suggest that he too would moderate that claim. See notes 47 and 78 to chapter 8 above. On this issue, cf. the contrasting accounts of Antifederalism in Sean Wilentz, *The Rise of American Democracy: Jefferson to Lincoln* (New York, 2005), 31–37; Jürgen Heideking, *The Constitution before the Judgment Seat: The Prehistory and Ratification of the American Constitution, 1787–1791*, ed. John P. Kaminski and Richard Leffler (1988; Charlottesville, 2012), 105–33; and Maier, *Ratification*, 82–95. Another interpretation, particularly influential among political theorists, that treats the Federalists’ arguments as aristocratic rather than democratic is Bernard Manin, *The Principles of Representative Government* (Cambridge, 1997). Manin considers the use of election inevitably aristocratic and only the reliance on lotteries as properly democratic, a judgment that does not appear to have been shared by anyone in eighteenth-century America. For similar discussions of the debates between Federalists and Antifederalists
that treat the opponents of the Constitution as democrats and its supporters as an aristocracy, see Russell Hanson, *The Democratic Imagination in America: Conversations with Our Past* (Princeton, 1985); John Dunn, *Democracy: A History* (New Yorks, 2005); and the editor’s introduction to a widely read edition of Alexander Hamilton, James Madison, and John Jay, with the Letters of Brutus, *The Federalist*, ed. Terence Ball (Cambridge, 2003). Questioning this widespread understanding of the Federalists, particularly Madison and Wilson, is among the principal goals of this chapter.

19. Centinel complained that the Constitution provided no bill of rights, unlimited power to tax, the possibility of a standing army, a Supreme Court accountable to no one, and, worst of all, a bicameral legislature that departed from the wise precedent of Pennsylvania’s unicameral popular assembly. Writing in the shrill voice of warning, Centinel railed against a Senate that would shelter “the better sort, the well born” and nurture “a permanent ARISTOCRACY.” Centinel I appeared in Philadelphia’s *Independent Gazetteer* on October 5, 1787; it is reprinted in DOTC 1:52–62. Although John Adams’s *Defence* played little part in the debates at the Constitutional Convention, it figured more prominently in the debates afterward—particularly for the Antifederalists. Adams had justified bicameralism by warning that the popular assembly needed to be checked by another institutional brake, and his claim that the British Constitution most nearly approached the desired balance had Antifederalists salivating. With its “hereditary nobility, and real distinctions of rank,” Centinel shrieked, Britain exemplified the society for which a Senate would be appropriate. Another Antifederalist, John Humble, denounced “John Adams, Esquire,” whose “profundity” helped convince the delegates that only “a new government consisting of three different branches, namely, king, lords,
and commons, or in the American language, president, senate, and representatives, can save this our country from inevitable destruction.” Centinel and John Humble aligned themselves instead with the cause of “the low born, that is, all the people of the United States” except for the few aristocrats conniving to end self-government. John Humble concluded his essay on a note familiar from the rough music of pre-revolutionary pamphlets: “we shall in future be perfectly contented if our tongues be left us to lick the feet of our well born masters.” Centinel in DOTC 1:55–57; the essay by John Humble appeared in the Independent Gazetteer (Philadelphia) on October 29, 1787, and is reprinted in DOTC 1:224–26.


22. One of the most comprehensive, and widely reprinted, Antifederalist tracts provides an excellent summation of their objections. See “The Address and Reasons of Dissent of the Minority of the Convention of the State of Pennsylvania to their Constituents,” in DOTC 1:526–52. On the relation between this document, probably written by Samuel Bryan and reprinted in many newspapers in the North and the South, and the multiple Federalist responses it evoked, see Bailyn’s note in DOTC 1:1168; and cf. Cornell, The Other Founders, 26–34, 309.


26. The rifts among the Antifederalists showed the accuracy of Madison’s analysis concerning cross-cutting cleavages on the basis of religion, economics, geography, and cultural tradition. Many Antifederalists worried about the absence of religious tests in the Constitution. How could non-Christians be expected to behave honestly? Others disagreed about commerce. Were yeoman farmers uniquely attuned to the needs of democratic citizenship, or were merchants and commercial farmers better able to grasp the public good because they were engaged in wider social and economic networks? Antifederalist writers gave varying answers, with backwoodsmen trumpeting their unique qualities, small-town traders protesting that gluttonous elites would gobble up their places, and well-to-do southern planters skeptical about their slaves and their own security. Mercy Otis Warren was among the many Americans anxious about both excessive democracy and excessive aristocracy. On the one hand, she fumed about those who would reject all authority “like a restless, vigorous, luxurious youth, prematurely emancipated from the authority of a parent, but without the experience necessary to direct him to act with dignity or discretion.” On the other, she denounced the new constitution as the work of those who “secretly wish for aristocracy” instead of “a form established on the secure principles of republicanism.” A Columbian Patriot [Mercy Otis Warren],
Observations on the new Constitution, and on the foederal and state conventions (New York, 1788), 20–21.

27. Brutus I in DOTC 1:172.


30. Federal Farmer flatly rejected the idea that the people would remain sovereign in the Constitution. Since power “must be lodged somewhere in every society,” it would gravitate toward the executive and his “aristocratical” associates in the Senate. Federal Farmer noted, as had Wilson and Madison, that the Senate betrayed the principle of “equal representation” by giving the same power to Delaware as to Pennsylvania. He explained why “nine times in ten, men of elevated classes in the community only can be chosen” for Congress. If a state such as Connecticut were to elect five Representatives, then “not one man in a hundred of those who form the democratic branch in the state legislature, will on a fair computation, be one of the five” chosen. “The people of this country, in one sense, may all be democratic,” Federal Farmer observed. Yet “if we make the proper distinction between the few men of wealth and abilities, and consider them, as we ought, as the natural aristocracy of the country, and the great body of the people, the middle and lower classes, as the democracy, this federal representative branch will have but very little democracy in it.” Whether in the House of Representatives or in the even more exclusive Senate, the result would be the same: only the wealthy would be elected. Federal Farmer conceded that given the differences between the large and small states, and between the “Eastern, Middle, and Southern states,” compromises were necessary. He admitted that it was “impracticable” to “get the senate formed on any other
principles” than those established in the Constitution. “But this only proves,” he concluded, “that we cannot form one general government on equal and just principles.” If power did not remain lodged in the state governments, it would be abused. The nation was too vast, the distance between the people and the central government too great, and the differences between the northern and southern sections too profound to prevent the “consolidated” federal government from devolving into tyranny. The authorship of this widely read pamphlet, published with the title *Observations Leading to a Fair Examination of the System of Government Proposed by the Late Convention: and to Several Essential and Necessary Alterations in It. In a Number of Letters from the Federal Farmer to the Republican*, remains unknown. Contemporaries thought it was the work of Richard Henry Lee; more recent scholars have proposed New Yorker Melancton Smith. It is published in *DOTC* 1:245–88; and see also Bailyn’s editorial note, with assessments of its importance from Hamilton and others, on 1155–56.

31. Federal Farmer, *Observations*, 249–69, 277–83. Even the most influential of the Antifederalists’ writings, including those of Federal Farmer and Brutus, were seldom reprinted. The complete set of letters by Federal Farmer, for example, was republished only in the *Country Journal* of Poughkeepsie, New York, although the forty-page pamphlet version went through multiple printings. See Maier, *Ratification*, 82–86.

32. Smith’s reasoning echoed Madison’s as well as Federal Farmer’s: “the interest of both the rich and the poor are involved in that of the middling class. No burden can be laid on the poor, but what will sensibly affect the middling class. Any law rendering property insecure, would be injurious to them.” Those in the middle shared the universal interest, which united almost all Federalists and Antifederalists, in economic growth and
expanding commerce. Middling men saw how quickly status could change in America, and they could understand those above and below them, which broadened their sensibilities and helped engender wider sympathies throughout society. “When therefore this class of society pursue their own interest, they promote that of the public, for it is involved in it.” Melancton Smith in the New York Ratifying Convention, June 21, 1788, in DOTC 2:757–65, 773–75.

33. On middling Antifederalists such as Federal Farmer, Philadelphiensis, Smith, Findley, Bryan, and John Nicholson, see Cornell, The Other Founders, 97–99, 148–50, 180–87, and 191–94; on the differences between them and plebeian Antifederalists such as William Petriken and William Manning, see 46–47, 84, 107–9, and 187.

34. Even the Federalists with the least sympathy for “the people” conceded that the decision was theirs. Harvard graduate Fisher Ames of Massachusetts, who notoriously declared that “a democracy is a volcano” that “conceals the fiery materials of its own destruction,” acknowledged that “the people always mean right,” and “if time is allowed for reflection and information, they will do right.” In any case, “all power resides” in their judgment because by choosing delegates to the state ratifying conventions, the American people would decide whether the Constitution best secured the foundations of their democracy. Fisher Ames, speech in the Massachusetts Ratifying Convention, January 15, 1788, in DOTC 2:891–95. On the pervasiveness of negative arguments in the debates, particularly those in which Federalists tried to refute their opponents’ claims, see Herbert J. Storing, “The ‘Other’ Federalist Papers: A Preliminary Sketch,” Political Science Reviewer 6 (1976): 215; Bernard Bailyn, “The Ideological Fulfillment of the American Revolution: A Commentary on the Constitution,” in Faces of Revolution: Personalities and Themes


36. For that reason, Wilson claimed, the absence of a bill of rights made no difference: “it would have been superfluous and absurd to have stipulated with a foederal body of our own creation, that we should enjoy those privileges, of which we are not divested either by the intention or the act, that has brought that body into existence.” “Wilson’s Speech at a Public Meeting,” October 6, 1787, in DOTC 1:63–69.

37. “Wilson’s Speech.” On 1142, Bailyn describes this now little-known speech as “the single most influential and widely cited document in the entire ratification debate.” By the end of 1787, it had been printed in thirty-four newspapers, in twenty-seven towns, scattered across twelve states. The importance of the speech, according to Bailyn, stemmed from its claim that “the people retain all powers not explicitly given to the government,” an argument that he does not trace to Rousseau, but that I believe Wilson did. Rakove, in Original Meanings, 190, describes Wilson’s October 6, 1787, speech as “no rhetorical sleight of hand but a logical outgrowth of the underlying democratic theory that he had applied to the entire corpus of issues the Convention faced.” Seth Cotlar disputes these assessments of the significance of Wilson’s ideas in “Languages of Democracy in America from the Revolution to the Election of 1800,” in Re-imagining Democracy in the Age of Revolutions: America, France, Britain, Ireland, 1750–1850, ed. Joanna Innes and Mark Philp (Oxford, 2013), 18. On Wilson as one of the few Americans

38. Wilson’s preferred term for citizens’ freedom to follow the general will hearkened back to a word familiar to seventeenth-century Puritans, “Foederal liberty,” which “consists in the aggregate of the civil liberty which is surrendered by each state to the national government.” The principles operating in society, “with respect to the rights reserved or resigned by the individuals that compose it, will justly apply in the case of a confederation of distinct and Independent States” joining together to form a union. In such a federal system, sovereign power “remains and flourishes with the people,” and it is “under the influence of that truth,” Wilson declared, that “we, at this moment, sit, deliberate, and speak.” America’s democracy would reach decisions not by armed conflict, as other nations had done, but through the deliberative “means of obtaining a superior knowledge of the nature of government, and of accomplishing its end.” Wilson’s “great panacea of human politics” was Rousseau’s: “the supreme power, therefore, should be vested in the people,” who retain the power to alter their government as they see fit, not only by choosing their representatives but because they preserve the power of amendment. “Wilson’s Opening Address,” November 24, 1787, is in *DOTC* 1:791–803.

39. William Findley challenged Wilson’s logic at the Pennsylvania Ratifying Convention, reasoning that officers in the federal government would maximize their power at the expense of the states and the people. Wilson replied that if they exceeded their authority,
they would be checked not by state or local institutions but by the irresistible force of the people themselves. “When I say the majesty of the people,” Wilson intoned, “I mean the thing and not a mere compliment.” Wilson emphasized how direct the popular control over the new government would be: “I have no idea that a safe system of power, in the government, sufficient to manage the general interest of the United States, could be drawn from any other source, or rested in any other authority than that of the people at large,” which he called “the rock on which this structure will stand.” The notion that Wilson envisioned a pristine, unchanging body of laws that would preserve forever a “pyramid” of government untouched by time is hard to square with Wilson’s portrait of a dynamic and constantly engaged public that would vote, oversee, and revise the laws by which it was governed. “Wilson’s Replies to Findley,” first on the federal authority, December 1, 1787, and then on the slave trade, December 3, 1787, in which he admitted that he would have preferred to take much stronger steps than were possible at the Convention to outlaw the institution, are in DOTC 1:820–28, 829–30.

40. Distinctive as Wilson’s rhetoric was, he and Madison were hardly alone in emphasizing the democratic dimensions of the Constitution. Writing as “Americanus” in the New York Daily Advertiser only a few days after Wilson’s first public speech, Federalist John Stevens Jr. distinguished the United States from the European nations that inspired Locke and Montesquieu. Whereas Spartan civic virtue turned rival states into “nests of hornets,” in the United States “the gusts of passion, which faction is ever blowing up in ‘a small territory,’” will “lose their force before they reach the seat of Federal Government.” By forming “mutual checks on each other,” the layers and branches of government will foster a spirit of moderation. “Representation is the grand secret in the formation of
republican government,” Stevens later wrote, because it transforms self-interest into a vision of the public good. November 2 and December 5–6, 1787, in DOTC 1:227–30, 457–64.

41. The town of Norwich instructed those it sent to the ratifying convention only to act “as their wisdom shall direct.” Norfolk empowered its delegates to “act as they think best.” In the town of Wingham, “after a very able and lengthy discussion of the subject” and two decisions to adjourn, a substantial majority of voters decided they should not make a decision: “as the proposed Constitution was to be determined on by a state Convention, it was not proper for this town to pass any vote on the subject.” See DHRC 3:405–51, and cf. Maier, Ratification, 134–36, whose assessment of the evidence differs from mine. She writes that only those towns that instructed their delegates how to vote “took their responsibility literally” and implies that the others meekly followed the advice of Federalists by deciding, in her words, that “the subject was beyond the capacities of ordinary people to understand” (135). By contrast, I think these Connecticut towns understood the spirit of representative democracy. They selected the delegates whose judgment they trusted, authorized them to participate in the give and take of debate, and then advised them to use their best judgment when the time came to vote. Maier notes that even some of the delegates instructed to oppose ratification nevertheless decided to vote for it. Debates about whether representatives are dependent on or independent of their constituencies are as old as democracy; neither position should be understood as the only genuinely democratic choice. When the issue was debated after the Constitution was ratified and instructing representatives was proposed as one of the amendments that became the bill of rights, it was defeated. See also Donald Lutz, “Connecticut: Achieving


43. Anyone familiar with debate, Fisher Ames and Noah Webster argued, understands how ideas can change in that crucible. Had the delegates to the Constitutional Convention been under binding instructions, Ames pointed out, the document would never have been written. Fisher Ames, speech at the Massachusetts Ratifying Convention, January 15, 1787, in *DOTC* 1:891–95. For a similar argument concerning representative democracy, see Giles Hickory [Noah Webster], *American Magazine*, February 1788, in *DOTC* 2:304–15.


46. John Adams, when looking for an exemplary ancient lawgiver as he wrote his draft of the Massachusetts Constitution, chose the Athenian Solon, who also served as the model for Adam Smith. Hamilton, Jay, and Madison made good their intentions to remain engaged in public life for the remainder of their lives.

47. Even though later commentators inflated the significance of the *Federalist* beyond its influence at the time, understanding its historical significance remains indispensable. Unlike most careful works of political philosophy, these essays addressed first principles either fleetingly or not at all. Most of the essays present debaters’ points intended to respond to specific claims by their opponents. Only by ripping the *Federalist* from its historical context can it be seen, as commentators seem increasingly inclined to do—and as the Supreme Court has tended more and more to do in recent years—as an authoritative statement of the meaning of the United States Constitution. On this point, see above all Rakove, *Original Meanings*; Bernard Bailyn, “The *Federalist* Papers,” A Bradley Lectures Publication (Washington, 1998); and Banning, *The Sacred Fire of Liberty*, 195–233.

48. The authorship of individual essays has remained a vexed question since the essays’ original publication. Madison and Hamilton both later claimed to have written some of the essays. Even though recent scholarship has resolved most of these disputes, the persistence of disagreements about who wrote which essays indicates clearly how conscious the authors were of making a consistent argument that masked their deep
differences. On this question of authorship, see the introduction to the most informative

49. Hamilton writing as Publius, *Federalist* I, October 27, 1787, ed. Cooke, 3–7. This essay
first appeared in *The Independent Journal* and was reprinted after a couple of days, as
were most of the essays, in *The New-York Packet* and the *Daily Advertiser*.

50. On the theme of union in the new nation, see Daniel Wewers, “The Spectre of Disunion


52. Primarily because of the layers of polemic that now surround it, the task of understanding
*Federalist* 10 historically becomes ever more challenging. If, as one of the characters in
David Lodge’s novel *Small World* observes, we cannot avoid the influence of T. S. Eliot
on Shakespeare, we likewise cannot avoid the influence of two centuries of commentary
on Madison.

53. The most detailed and persuasive accounts of the reasons for Madison’s judgment on this
complex question, which critics think shows his fear of popular sentiment, are Rakove,
*Original Meanings*; and Banning, *The Sacred Fire of Liberty*.

54. More than a century of sophisticated analysis of class formation challenging Marx’s
framework, from Jean Jaurès to Dipesh Chakrabarty, has failed shake the certainty of
American historians still committed to the idea that “the people,” conceived as a unitary
force with shared interests and aspirations, lost their battle against “the elite” during the
1780s. On the reasoning of Marx’s early critics, see James T. Kloppenberg, *Uncertain
Victory: Social Democracy and Progressivism in European and American Thought,
1870–1920* (New York, 1986); and on the rethinking of Marx’s legacy for post-colonial

55. See the discussion of Adams and Paine on pp. 383–85 above. Writing about the *Federalist* late in his life, Adams discerned the peculiar nature of the attempt to differentiate between a “democracy” and a “republic” in *Federalist* 10: The “distinction between a republic and a democracy cannot be justified. A democracy is as really a republic as an oak is a tree, or a temple a building. There are, in strictness of speech and in the soundest technical language, democratical and aristocratical republics, as well as an infinite variety of mixtures of both.” Adams understood that the two terms were employed more or less interchangeably throughout the 1770s and 1780s to designate forms of popular government in contradistinction to monarchy, with different shadings depending on the circumstances in which, and the purposes for which, the terms were used. Adams contended, sensibly enough, that the apparently hard and fast distinction in *Federalist* 10 was inconsistent with common practice in 1787. John Adams to J. H. Tiffany, March 31, 1819, in *The Works of John Adams*, ed. Charles Francis Adams, 10 vols. (Boston, 1850–56), 10:377–78.

56. Whatever the source of faction, a charismatic demagogue, devotion to a religious sect, or an economic campaign such as “a rage for paper money, for an abolition of debts,” or “for an equal division of property, or for any other improper or wicked project,” its effects could best be checked through the institutions of representative government and the extended sphere of the great republic. Madison surely did oppose both the radical transformation of the money supply and the equalization of wealth, as did almost all
eighteenth-century Americans. The ban on states issuing paper money and canceling contracts was adopted by the delegates in Philadelphia with little debate. But Madison’s repeated references to religious zealots and scheming party leaders were not smokescreens; they expressed genuine concerns with the obstacles posed by enthusiasm to deliberation. Terry Bouton, who stresses the fears expressed by ordinary people concerning the machinations of the wealthy, concedes in *Taming Democracy: “The People,” the Founders, and the Troubled Ending of the American Revolution* (New York, 2007), 107–8, that there was no support in the United States for an agrarian law or the radical equalization of wealth. Most Americans embraced the principle of equal opportunity, at least for white males, and even the majority who saw excessive wealth as a threat to democracy did not oppose the efforts of ordinary people to make themselves more prosperous through honest effort. The idea of progressive taxation, an idea advanced by John Adams, Jefferson, Madison, Paine, and many others, represented the horizon of eighteenth-century American egalitarianism.

57. Madison writing as Publius, *Federalist* 10, November 22, 1787, ed. Cook, 56–65. The commentary on this essay is enormous and continues to grow. An influential early critique of the 1950s liberal pluralist interpretation is Paul Bourke, “The Pluralist Reading of James Madison’s Tenth Federalist,” *Perspectives in American History* 9 (1975): 271–95. Readings of *Federalist* 10 that I have found particularly helpful include Marvin Meyers, whose introduction to *The Mind of the Founder: Sources of the Political Thought of James Madison*, rev. ed. (1971; Waltham, MA, 1981), xi–xvii, first sparked my interest in Madison as a theorist of justice, and with whom I had the good fortune to discuss Madison for many years; Gordon Wood, “Is There a ‘James Madison Problem’?”

Readers did not even know that *Federalist* 10 was Madison’s first appearance as Publius, nor did they seem to find its arguments any more compelling than those of numbers 1
through 8. Those essays focused on the importance of unity in face of the multiple threats facing the new nation, threats from European powers, threats from the wilderness and the Indians it contained, and threats from each other if they were to split apart. Madison’s penetrating analysis of faction and his sophisticated case for deliberative democracy seem to have left his contemporaries underwhelmed. Strikingly, Publius himself lost interest in them for a while. Other issues loomed larger.

59. See Amar, *America’s Constitution*.

60. Particularly pertinent to the history of democracy were some of Madison’s other early contributions to the *Federalist*, which helped secure ratification of the Constitution—and later, when the first party division appeared in the 1790s, allowed partisans to read back into his contributions to the *Federalist* preferences and prophesies inconsistent with Madison’s deepest convictions. Madison was self-consciously engaged in a strategic project. As the first essays of the *Federalist* were appearing in print, he emphasized in a letter that he was not writing political philosophy. As in Philadelphia, the Federalists had to keep their eyes on the target. “If any Constitution is to be established by deliberation and choice,” Madison wrote to Archibald Stuart on October 30, 1787, “it must be examined with many allowances and must be compared, not with the theory which each individual may frame in his own mind, but with the system which it is meant to take the place of and with any other which there might be a probability of obtaining.” Much as he might have enjoyed writing a *Republic*, a *Utopia*, an *Oceana*, or a *Social Contract*, he had a different objective, and in *Federalist* 10 and 14 he threw himself into it.

Wilson delivered his great Rousseauvian oration at the Pennsylvania Ratifying Convention just two days after Madison’s *Federalist* 10 was published. Given Wilson’s
explicit endorsement of Rousseau and the already noted parallels between Wilson’s arguments and Madison’s, only the stubborn insistence that Madison must have meant something different from Rousseau has blinded commentators to the similarities between his idea of a public good emerging from the deliberation of representatives and Rousseau’s conception of the general will. Given the distinction that Madison and Hamilton had sketched in *Federalist* 9 and 10, Madison now had to establish the point that Wilson had made so powerfully in Pennsylvania. Replying to Antifederalists who worried that those elected to the United States Congress would be too remote from the people, Madison insisted in *Federalist* 14, his first contribution after Wilson’s intervention in Pennsylvania, that their foes’ objections foundered on two crucial considerations, the principle of popular sovereignty and the practice of representation. Echoing Wilson’s arguments at the Ratifying Convention, Madison insisted that the entire American political system, from towns through states to the federal government, was founded on the principle of popular government. The anxiety about a state within a state, *imperium in imperio*, was baseless. All organs of government in the United States stood on a common, but unprecedented, foundation, the will of the people. Expressing themselves through elections at every level of government, the American people authorized the exercise of power by those they had chosen. The power remained with them, and they could use it whenever they saw fit by replacing one set of elected representatives with another.

That principle of popular sovereignty had been operating already for more than thirteen years. Against claims that representatives would be too aloof, or too distant from the concerns of local politics, Madison invoked Americans’ experience during the war
for independence and under the Articles of Confederation, first with the Continental Congress and then with the Confederation Congress. Under the Constitution, the federal government would continue as before. Representatives would be elected to local, state, and national office to do the work appropriate to their positions, the work they were authorized by the voters to do. Although Madison and Hamilton had now adopted the term “republic” for this system of representative government and confined the use of “democracy” to small polities in which all citizens could gather and deliberate together, the Constitution they were defending in those terms was the same one Wilson had defended so eloquently and convincingly in Pennsylvania as “purely democratical.” Just as Wilson had insisted that the purpose of deliberation was to broaden the sensibilities of the representatives so that they might come to understand the “welfare of the whole” rather than the narrow interests of a part, and had offered Madison’s principle of enlarging the sphere as a means to that end, so had Madison reasoned in Federalist 10 concerning the means to the end of justice. Likewise, Wilson had described “a chain of connection with the people”; Madison in Federalist 14 claimed for “America the merit of making the discovery” of representation as “the basis of unmixed”—i.e., non-monarchical and non-aristocratic—“and extensive republics.” Their terminologies now differed. Their arguments did not. Madison writing as Publius, Federalist 14, November 30, 1787, ed. Cooke, 83–89; and cf. my discussion of Wilson at the Pennsylvania Ratifying Convention in chapter 9 above, where the echoes of Rousseau are clear.

61. No philosophers had succeeded in distinguishing or defining the faculties of the mind, including “sense, perception, judgment, desire, volition, memory, imagination.” So it is no surprise that even greater “obscurity” clouds our understanding of the institutions such
mysterious creatures create. Nor is our language equal to the task. Ideally, ideas about political institutions “should be expressed by words distinctly and exclusively appropriated to them,” but instead we lack the words for the most complex and novel products of our imaginations. Madison’s summary expressed his awareness of the problems faced in Philadelphia by those who produced, and now faced by those who were deciding whether to ratify, the Constitution: “Here then are three sources of vague and incorrect definitions indistinctness of the object, imperfection of the organ of conception, inadequateness of the vehicle of ideas.” Although Madison offered no examples, his own creative substitution of “republic” for “democracy” would have provided an excellent illustration of his point. Given all these obstacles, he concluded, and given how seldom efforts to construct or reform existing constitutions have succeeded in history, the “real wonder” was not that the Constitution is flawed but that “so many difficulties should have been surmounted, and surmounted with a unanimity almost unprecedented.” It was a rare moment, Madison admitted. Achieving a better outcome at the end of the fractious and prolonged public debate over the Constitution would, he implied, be next to impossible. Madison writing as Publius, Federalist 37, January 11, 1788, ed. Cooke, 231–39. On the epistemological grounds of Madison’s moderation, see the insightful discussion in Rakove, Original Meanings, 156–58.

January 29, 1788, ed. Cooke, 315–23. The quotation comes from 315. State legislatures, unchecked by weak executives, represented a more serious danger because unbalanced governments, with all power concentrated in the legislative branch, had proved the most common source of despotism. Those who feared the Senate misunderstood its function in the structure of popular representative government. Rather than being constituted by members of a separate social order, the United States Senate would provide only another deliberative forum that would balance the House, represent each state equally, and provide greater stability because of the longer terms of office. The Constitution explicitly prohibited the creation of an aristocracy. Madison writing as Publius, *Federalist* 48, February 1, 1788, ed. Cooke, 332–38.


64. A Columbian Patriot [Mercy Otis Warren], *Observations on the Constitution*, February 1788, in *DOTC* 2:284–303. At the end of 1788, reflecting on Jefferson’s suggestion that members of the upper house of the Virginia assembly serve only two-year terms, Madison defended the longer terms of U.S. Senators by decrying the “spirit of locality” that was developing in the state legislature as representatives focused too narrowly on the particular interests of their constituencies. That obsession with their own neighbors caused them to “lose sight of the aggregate interests of the community, and even to sacrifice them to the interests or prejudices of their respective constituents.” Whereas most Antifederalists believed that such close attention to local interests was the point of popular government, and agreed with Columbian Patriot that annual elections were the best guarantee of responsibility so conceived, Madison disagreed. Madison writing as


67. A recent analysis that confirms this judgment is Wilentz, *The Rise of American Democracy*, 35–39. The people would have all the power in their hands, Madison observed, and even if they chose poorly sometimes, “motives of a more selfish nature” would motivate representatives, because the “restraint of frequent elections” meant that elected officials could not escape the judgment of their constituencies. All these provisions would tie the governors to the governed, creating “between them that communion of interests and sympathy of sentiments” that link representatives “with the great mass of the people” by “duty, gratitude, interest, ambition itself.” From the most generous benevolence to the narrowest self-interest, Madison found multiple reasons why representatives would pursue the general interest. Madison writing as Publius, *Federalist* 57, February 19, 1788, ed. Cooke, 384–90.

68. Federal Farmer, for example, concluded his first set of letters by underscoring his confidence that the “state conventions” would “examine coolly every article, clause, and word in the system proposed.” Because the “state conventions will probably consist of fifteen hundred or two thousand men of abilities, and versed in the science of
government, collected from all parts of the community and from all orders of men, it must be acknowledged that the weight of respectability will be in them.” He concluded that the delegates would represent “the solid sense and the real political character of the country.” Federal Farmer in DOTC 1:287, 285. The fullest analysis of the debates in the ratifying conventions is Maier, _Ratification_. See also Michael Allen Gillespie and Michael Lienesch, eds., _Ratifying the Constitution_ (Lawrence, KS, 1989), and the massive collection on which all such studies depend, _The Documentary History of the Ratification of the Constitution_.


70. Wilson’s speech of December 11, 1787, in DOTC 1:832–68. According to John Fabian Witt, Wilson’s use of the image of the pyramid shows that he conceived of the Constitution as an ideal of timeless perfection, a conception consistent with J. G. A. Pocock’s argument concerning republican obsessions with timelessness. Elsewhere in the essay, however, Witt notes that other contemporaries interpreted the pyramids as symbols
of decay. Suggestive as such cultural analysis can be, it is complicated by the frequency with which particularly potent symbols are interpreted in multiple ways at any given time and over different eras. It is at least equally plausible to align Wilson’s use of the pyramid with the version of the symbol that eventually became part of the Great Seal of the United States, the 1782 image of an unfinished pyramid that was the work of Wilson’s friend Francis Hopkinson, an image that powerfully suggests that the work of building a democracy is never completed. See Witt, Patriots and Cosmopolitans: Hidden Histories of American Law (Cambridge, MA, 2007), 15–82.

71. As the proceedings wound down to traded epithets and accusations, Smilie contended that because fewer than one-sixth of Pennsylvania’s electorate had voted in the selection of delegates, the unrepresented majority might take matters into its own hands if the convention endorsed a Constitution “the people” deemed despotic. Federalists, who held a two-to-one majority at the convention, howled at the charge and insisted that Pennsylvanians would not be swayed by the ranting of disgruntled losers. William Shippen to Thomas Lee Shippen, December 12, 1788, in DHRC 2:601. The documentary record manifests these partisan divisions, and historians’ accounts mirror the divisions. Cf. the strikingly discordant characterizations of the Pennsylvania ratifying convention and its aftermath in Bouton, Taming Democracy, 171–96; Beeman, Plain, Honest Men, 375–82; Maier, Ratification, 99–120; George J. Graham, Jr., “Pennsylvania: Representation and the Meaning of Republicanism,” in Ratifying the Constitution, ed. Gillespie and Lienisch, 52–70; Saul Cornell, “Aristocracy Assailed: The Ideology of Backcountry Antifederalism,” Journal of American History 76 (March 1999): 1148–72; and cf. Cornell, The Other Founders, 109–18.

73. As Federalists had argued elsewhere, two-year terms made sense because it would take time to learn how to cope with the more complicated problems facing the entire nation. The South, they insisted, would simply never have accepted a Constitution that abolished slavery, and slavery would die when the supply of slaves was shut off. Finally the Senate, instead of serving as a breeding ground for aristocrats, simply registered the integrity of the state governments and guarded against excesses of popular passion.


75. Also crucial was the Massachusetts Federalists’ earnest engagement with their opponents. The knew that the arrogance of Wilson and the Morrises had antagonized many delegates. Smith in *DHRC* 6:1510, 1514; Backus in *DHRC* 6:1215, 1224–26; and Maier, *Ratification*, 188–208.


77. Madison’s initial objections to a declaration of rights stemmed from his judgment that rights were hopeless mise vague, were impossible to enforce, and had proved ineffective in the states. For a detailed discussion of his changing ideas on this complex issue, see Rakove, *Original Meanings*, 290–338.

78. Madison, “Speech in the Virginia Ratifying Convention on the Judicial Power,” June 20, 1788, in *Writings*, 393–400. Its crucial significance is so widely accepted that it has become one of the most frequently quoted of all of Madison’s writings, in part at least because it illustrates so well the mingling of Christian, Scottish common sense,


80. Madison to Jefferson, October 17, 1788, in *Writings*, 418–23. After his election, Madison wrote letters to various Virginians explaining his new position. “Circumstances are now changed: The Constitution is established on the ratifications of eleven States and a very great majority of the people of America.” Given that context, “amendments, if pursued with a proper moderation and in a proper mode, will be not only safe, but may serve the double purpose of satisfying the minds of well meaning opponents, and of providing additional guards in favour of liberty.” Now, Madison wrote, “it is my sincere opinion that the Constitution ought to be revised,” and he described the revisions he had in mind. Securing “the rights of Conscience in the fullest latitude,” the goal he and Jefferson had struggled to achieve for more than a decade, stood at the top of the list, followed by “freedom of the press, trial by jury, security against general warrants, &c.” Madison to George Eve, January 2, 1789, in *Writings*, 427–28.


84. Widgery and Taylor in DHRC 6:1487–89; and cf. Maier, Ratification, 207–13; Beeman, Plain, Honest Men, 389–91; Edling, A Revolution in Favor of Government, 136; and Bouton, Taming Democracy, 216–56.

85. The festivities were described in the Massachusetts Centinel, February 13, 1788, in DHRC 7:1623–27. Baltimore followed with a celebration “allamode de Boston” designed to outdo the New Englanders. According to Baltimore’s Maryland Journal, the procession attracted more than three thousand participants, again including “Farmers, Mechanics and Merchants, to form the most interesting Scene ever exhibited in this Part of the World.” The comprehensive array of workers, representing every occupation practiced in the state, was designed to demonstrate that, contrary to the Antifederalists’ rhetoric, “the people” were as pleased with the new Constitution as were those Federalists dubbed “aristocrats.” The report concluded by emphasizing the absence of any “unfortunate Accident” to mar the “most perfect Regularity, Order and Harmony,” precisely what the Constitution’s champions expected for the nation itself. The conflicts of the critical period would give way to the “warmest Feelings of Benevolence, Hospitality, and Friendship,” just as the scene after the parade showed “the Happiness of
each Order, the Happiness of each Individual, the Happiness of every Spectator,” all of which were “increased by the Consciousness of heightening the Felicity of others.” The Federalists’ coalition included merchants, bankers, and lawyers, but many farmers and an overwhelming majority of the nation’s urban artisans also saw in the plan the prospect of economic growth after a decade of stagnation and struggle. When those marching through the streets of Baltimore and “a prodigious Number of spectators” joined for a post-parade feast, the after-dinner toasts began with a rousing one to “The Majesty of the People.” *Maryland Journal*, May 6, 1788, *DOTC* 2:430–38. See also Edward Countryman, “The Creation of the United States: From Revolution to Ratification,” in *What Did the Constitution Mean to Early Americans?*, ed. Edward Countryman (Boston, 1999), 17–23.


87. The toast by the Boston artisans’ committee was published in the *Independent Chronicle* (Boston), February 14, 1788, in *DHRC* 7:1630–31. The temptation to issue a final rebuke was too strong for one Massachusetts partisan to resist: now that the Constitution had been ratified, the word “federal” expresses “national honour, dignity, freedom, happiness, and every republican privilege,” whereas “anti-federalism” means only “anarchy, confusion, rebellion, treason, sacrilege, and rapine.” *Massachusetts Gazette*, January 18,
1788, in DHRC 5:744. New York’s procession, which included professors in academic regalia along with the usual farmers and artisans, attracted twenty thousand spectators; even in the smaller city of Charleston, more than three thousand participated. A letter in the United States Chronicle concerning the festivities planned for July 4, 1788, explained that “it is therefore good Policy, and a sure Mark of Patriotism and public Virtue, to endeavour as much as possible that all Ranks and Orders of People should be pleased with, and should wish to support” the government of the new nation. The letter is quoted in Heideking, The Constitution before the Judgment Seat, 372.

88. Benjamin Rush in DHRC 18:265. In the words of the Reverend Joseph Haven, Sermon Preached in Rochester, New Hampshire, November 27, 1788, “If wisdom, virtue, and integrity, and a public spirit prevail: in short, if we observe the Christian religion, we shall be a happy, a flourishing, wealthy, and renowned people.” Haven quoted in Heideking, The Constitution before the Judgment Seat, 373. See also George J. Graham Jr., “Pennsylvania: Representation and the Meaning of Republicanism,” in Gillespie and Lienisch, Ratifying in the Constitution, 52–70; and Maier, Ratification, 100–1.


90. Thomas Paine, The Rights of Man, in Paine, Writings, ed. Eric Foner (New York, 1984), 594; Paine to George Washington, July 30, 1796, in The Life and Works of Thomas Paine, ed. William M. Van der Weyde (New Rochelle, 1925), quoted in Alfred F. Young, “The Framers of the Constitution and the ‘Genius’ of the People,” Radical History Review 42 (1988): 8–18. Young’s article illustrates perfectly the persistent view that all Federalists—Madison and Wilson as much as Hamilton, Gouverneur Morris, or Robert Livingston—had to be forced by popular pressure to accept the democratic provisions of the Constitution, including the bill of rights. That argument underestimates the extent to which Madison and Wilson at least were motivated from the outset by an abiding commitment to the principle of popular sovereignty. Although my analysis concentrates primarily on Madison and Wilson because I believe they contributed the most sophisticated and influential arguments both at the Constitutional Convention and in the ratification debates, they were hardly alone. See Colleen A. Sheehan and Gary L. McDowell, Friends of the Constitution: Writings of the “Other” Federalists, 1787–1788 (Indianapolis, 1998).


93. Alexander Graydon, who did not share Wilson’s enthusiasm for popular government, wrote in his memoir that “Wilson was truly great, but enthusiastically democratic. The symptoms of returning reason, evinced by the adoption of the federal constitution, had probably put him in good humour with the people, and made him more than ever in love with ‘free and independent men.’” In response to Wilson’s proposal that both the Senate and the Assembly in Pennsylvania should be elected by the people, Alexander Graydon wrote that Wilson’s conception of popular sovereignty reminded him of Rousseau: “*Ces Pauvres Savoyards sont si bonnes gens!* As Jean-Jacques says. And who could say less of the good souls of Pennsylvania?” See Alexander Graydon, *Memoirs of a Life, Chiefly Passed in Pennsylvania, Within the Last Sixty Years* (Edinburgh and London, 1822), 371–72.


96. John Stevens Jr. dissented from Madison’s and Wilson’s talk of justice and argued that representative democracy could function very well without “heroic virtues which we admire” in the ancient world. “The sacrifice of our dearest interests, self-denial and austerity of manners, are by no means necessary.” If instead American citizens “pursue merely their own true interest and happiness,” the republic will “flourish for ages.” The
reasons, Stevens insisted, could be traced to the enlarged sphere of the republic, the responsibility forced on representatives by regular elections, and the difference between “self denial” on the one hand and citizens’ “true interest and happiness” on the other. Americanus [John Stevens Jr.], “On Representation and the Modern State,” *New York Daily Advertiser*, November 30, 1787, in *DOTC* 1:437–42.


98. In the New York ratifying convention he echoed the argument he had made in the Constitutional Convention: “the difference in property is already great amongst us. Commerce and industry will increase the disparity.” But rather than criticizing that development, as Jefferson, Adams, and Madison did repeatedly, Hamilton welcomed it: “as riches increase and accumulate in a few hands; as luxury prevails in society; virtue will be in a greater degree considered as only a graceful appendage of wealth, and the tendency of things will be to depart from the republican standard.” Hamilton at the New York Ratifying Convention, June 21, 1788, in *DOTC* 2:771. For Hamilton’s earlier speech at the Constitutional Convention, see *Records* 1:283–301.

99. Here and in other, similar letters Jefferson also recommended, as guides to ethics, the works of Plato, Cicero, Locke, Hutcheson, Kames, Ferguson, Adam Smith, and the novelist Laurence Sterne. “Above all,” though, he urged Carr to “lose no occasion of exercising your dispositions to be grateful, to be generous, to be charitable, to be human, to be true, just, firm, orderly, courageous &c. Consider every act of this kind as an exercise which will strengthen your moral faculties, & increase your worth.” Jefferson to Peter Carr, August 10, 1787, in *Writings*, 900–6. See also Jefferson’s letters to Thomas Law, June 13, 1814, in *Writings*, 1335–39; and to John Minor, August 30, 1814, in *Writings*, 1557–61. In the letter to Law, Jefferson wrote, “Self-love, therefore, is no part of morality….It is the sole antagonist of virtue, leading us constantly by our propensities to self-gratification in violation of our moral duties to others….Take from man his selfish propensities, and he can have nothing to seduce him from the practice of virtue. Or
subdue those propensities by education, instruction or restraint, and virtue remains without a competitor.” Jefferson then reflected on the argument, advanced by Helvetius and others, that we perform acts of kindness and mercy “because we receive ourselves pleasure from these acts.” But the question, Jefferson noted, is why such acts “give us pleasure? Because nature hath implanted in our breasts a love of others, a sense of duty to them, a moral instinct, in short, which prompts us irresistibly to feel and to succor their distresses.” Echoing his letter to Carr twenty-six years earlier, Jefferson continued, “The Creator would indeed have been a bungling artist, had he intended man for a social animal, without planting in him social dispositions.” Although in some rare instances such a conscience seems to be lacking—as indeed in some instances people lack the capacity to see or speak—the defect is to be addressed through education. Jefferson conceded that the forms of behavior deemed virtuous can vary according to cultures and circumstances, but he remained firm in his conviction that “the existence of a moral instinct” is “the brightest gem with which the human character is studded.”


101. Mercy Otis Warren, “Alphabet for [her daughter] Marcia” (n.d.), in Mercy Otis Warren Papers, Massachusetts Historical Society. This passage comes from the entry for the letter “G,” for “Gentleness of manners,” which Warren observes “is the result of goodness of heart” rather than “the studied decorum of politeness.” As was true of her friend Abigail Adams, Warren repeatedly emphasized the importance of duty. For the letter “D,” she wrote that “Duty should be the first consideration in whatever we undertake.”
Admonishing her children to lives of virtue is the central theme of her correspondence with her offspring. For two particularly pointed examples, see her letters to her son Winslow dated June, 1780, and September 26, 1780, in which she urges him to choose virtue over ease or beauty. In her letter to John Adams, May 18, 1780, Warren expresses her anxieties about the prospects for popular government should Americans lose their firm commitment to civic virtue. See also Rosemarie Zagarri, “Between Liberalism and Republicanism: ‘Manners’ in the Political Thought of Mercy Otis Warren,” in Republicanism and Liberalism in America and the German States, 1750–1850, ed. Jürgen Heideking and James A. Henretta, with the Assistance of Peter Becker (Cambridge, 2002), 121; Rosemarie Zagarri, A Woman’s Dilemma: Mercy Otis Warren and the American Revolution (Wheeling, IL, 1995); and Rosemarie Zagarri, “The American Revolution and a New National Politics,” in The Oxford Handbook of the American Revolution, 483–98.


103. Charles Chauncy, The Benevolence of the Deity (Boston, 1784), 186.

104. Asa Burton, A Sermon Preached at Windsor...on the Day of the Anniversary Election, October, 1785 (Windsor, VT, 1786), 22.

105. Charles Backus, A Sermon Preached in Long-Meadow at the Publick Feast, April 17, 1788 (Springfield, MA, 1788), 13, 21.

gives the dates 1789–1839 for the Aaron Bancroft Papers, the quoted passages come from the text Bancroft wrote on June 7, 1785, when he was accepting his appointment as minister of the breakaway Second Church of Worcester. He had been rejected by the majority of the congregation of the First Church because of his liberal views. His message to his new congregation is included among the notes he appended to the text of the sermon on the history of liberal Protestantism that he delivered at the Second Church to celebrate the fiftieth anniversary of his ordination. Although Bancroft made no references in his sermons to his son, the historian George Bancroft, or to any other of his thirteen children, it is clear that he considered himself a historian as well. In his sermon “State Fast on Account of the War,” delivered on July 23, 1812, he provided an overview of English settlements in New England from the 1620s through the current conflict with Britain. Bancroft’s themes remained constant throughout his career. In that 1812 sermon, he wrote that “Piety & patriotism, righteousness & sobriety, formed the character of our venerable ancestors.” Those seventeenth- and eighteenth-century New Englanders “were not distracted by different interests, nor divided into political parties but…were united to promote the common good.” Aaron Bancroft Papers, American Antiquarian Society. Like those of Aaron Bancroft, David Barnes’s sermons are peppered with references to duty, obligation, and justice. See for example his “Sermon on Luke 2:14,” May 7, 1786, David Barnes Sermons, American Antiquarian Society. A fine essay locating Bancroft and Barnes in their historical context is Jason Opal, “The Labors of Liberality: Christian Benevolence and National Prejudice in the American Founding,” Journal of American History 94 (2008): 1082–1107.


115. François-Alexandre Frédérique, duc de la Rochefoucauld, *Constitutions des treize Etats-Unis de l’Amérique* (Paris, 1783); François-Alexandre Frédérique, duc de la Rochefoucauld, *Travels through the United States of North America, the Country of the Iroquois, and Upper Canada in the Years 1795, 1796, and 1797*, 2 vols. (London, 1799), 1:64–66. Rochefoucauld-Liancourt also characterized American religiosity in tones eerily similar to those Tocqueville would use in *Democracy in America*. He noted that despite the flurry of church-building and church-going everywhere, religion for most Americans seemed more “a political engine than a way to salvation.” Again foreshadowing
Tocqueville, he noted only one exception to that rule: the inhabitants of New England—and New Englanders spreading westward—whom he found “more religious,” “remarkably industrious,” and “purer in their morals than any of the rest” (1:165).
Chapter 10


2. Robert R. Palmer, *The Age of the Democratic Revolution*, vol. 1: *The Challenge* (Princeton, 1959), 244, lists both the dates of the appearance of the major assessments of the new nation and the dates of the books’ translations into the major European languages. See also Palmer’s broader discussion of these issues on 238–82.


8. See Louis André Vigneras, “La Société gallo-américaine de 1787,” in *Bulletin de l’Institut français de Washington*, December 1952, and the discussion of the quick dissolution of the society in Palmer, *Democratic Revolution* 1:261–62. Evidently Clavière was impatient with the focus on France and America, believing, as he put it, that these truths would be “useful and beneficial to all men in general, without distinction of nation.”


State in France (Princeton, 1980), 458; and the discussion of writers such as Joseph Saïge, who made spirited attempts to invoke (or create) just such a tradition, in Baker, Inventing the French Revolution, 109–52. Despite Baker’s claims for the significance of such scattered efforts, the difference between the extensive political engagement from the local to the national level in the American colonies and the lack of such engagement in France remains striking. For a particularly pointed statement of François Furet’s broader and deeply influential case that the absolutist monarchy destroyed the political vitality of the institutions of the old regime in France, see François Furet, “Alexis de Tocqueville,” in A Critical Dictionary of the French Revolution, ed. François Furet and Mona Ozouf, trans. Arthur Goldhammer (Cambridge, MA, 1989), 1021–32, and more broadly, the introduction by Furet and Françoise Mélonio to their edition of de Tocqueville, The Old Regime and the French Revolution 1:1–79.


20. See the discussion of the physiocrats in chapter 6 above. On the sources and consequences of this crucial dynamic in French culture, see the illuminating discussion in Patrice Higonnet, *Sister Republics,* 121–70.


25. Recall that when John Adams was boasting about the significance of the 1780 Constitution he wrote for Massachusetts, he claimed “it is Locke, Sidney, and Rousseau


27. Mably did not share Adams’s interest in an elected chief executive. Consistent with his other writings (and those of almost every other writer in France), Mably considered a king indispensable. See Palmer, Democratic Revolution 1:269–70.

28. Adams did not read De la législation until 1791; he reread it in 1806. His marginal notations, in his copy of De la législation in the Adams Papers at the Boston Public Library and available online, reflect his increasing ire concerning the course of the French Revolution as well as his changing attitudes toward Mably’s political ideas.

29. The only full-scale study of Mably is Johnson Kent Wright, A Classical Republican in Eighteenth-Century France: The Political Thought of Mably (Stanford, 1997).

30. Although Jefferson showed much shrewder political instincts than Condorcet, he aligned himself with Condorcet’s belief that, as Jefferson put it, “the mind is perfectible to a degree of which we cannot as yet form any conception.” See Jefferson to William Green Mumford, June 18, 1799, in Writings, 1065. The most thorough study of Condorcet is Keith Michael Baker, Condorcet: From Natural Philosophy to Social Mathematics (Chicago, 1975). See also Condorcet: homme des Lumières et la Révolution, ed. Anne-Marie Chouillet and Pierre Crépel (Fontenay-aux-Roses, 1997). For an astute analysis of Condorcet and a deft treatment of the wide range of recent critical appraisals of his work, see also David W. Bates, Enlightenment Aberrations: Error & Revolution in France (Ithaca, 2002), 73–97.
31. Julie de Lespinasse left a charming portrait of the young Condorcet, whom she helped ease from social clumsiness to the charm that came to mark “le bon Condorcet,” as he was often called: “He has received from nature the loftiest mind, the most considerable talent and the fairest of souls; his talent would have been enough to make him famous, his mind to make him sought after; but his soul wins him the friendship of all who come to know him at all well.” Condorcet could converse with ease, she continued, on “philosophy, belles-lettres, the sciences, the arts, government, jurisprudence,” and other topics ranging from “the details of the police” to the “names of the hats in fashion.” Reading his work or talking with him revealed so many “forms of benevolence” that “you will tell yourself a hundred times a day that this is the most astonishing man you have ever heard.” *Lettres inédites de Mlle de Lespinasse*, ed. Charles Henry (Paris, 1887), 232–42; the quotations are from 233–34.

32. Just as established authorities had condemned scientific advances in the sixteenth and seventeenth centuries, so religious and political elites were inciting popular opposition to Enlightenment. But just as the experimental sciences had prevailed, so would the reformers’ projects. “One of the greatest sources of error in the moral sciences being submission to authority, once this submission has become ridiculous in the physical sciences it no longer has its basis in the others and cannot reestablish itself in them.” Condorcet’s notes for the speech accepting admission to the French Academy in 1782, Bibliotheque de l’Institut de France, MS 855, f. 7; trans. Baker, *Condorcet*, 75.

34. Condorcet explained that “our principal task here is to discover the probability that assures the validity of a law passed by the smallest possible majority, such that one can believe that it is not unjust to subject others to this law and that it is useful for oneself to submit to it.” Condorcet, *Essai sur l’application de l’analyse à la probabilité des décisions rendues à la pluralité des voix* (Paris, 1785), cvi.


38. Only at the municipal level would citizens vote directly for electors, who would then choose those who would participate in assemblies, and so on as those selected at one level chose those at the next rung of the ladder all the way to the national assembly. All but the local selections would thus be indirect. Even so, Condorcet contended that those chosen for the unicameral national assembly would be best able to discern the genuine wishes of the nation because they would be “representatives of the citizens chosen by themselves.” Condorcet, *Oeuvres complètes* 8:234.

40. Because it incites “momentary passions that could lead the assembly astray,” deliberation is among “the principal causes of error, of weakness, and of the incoherence of decisions” made by majorities in legislative assemblies. Condorcet, *Oeuvres complètes* 8: 208, 211.


48. For particularly acute formulations of this argument, see two undated fragments: Sieyès, “Représentation du tout n’a rien au-dessus,” Archives Nationales, 284 AP 5, 1:2; and “Ordre politique, base démographiqe, édifice représentation,” Archives Nationales, 284 AP 5, 1:3, quoted and discussed in Sonenscher’s introduction of Sieyès, *PW*, xviii–xix.


50. In sum, “the legislative power is always the product of the generality of individual wills.” Only in that way can the “general will” or the “general view,” the view that best
incorporates the different perspectives of different individuals, emerge through the process of deliberation. Sieyès, *Views of the Executive Means*, in *PW*, 12–13, 36–37.

51. Sieyès addressed these issues directly in *What Is the Third Estate?* in *PW*, 140–44.


60. There is no evidence that Sieyès had read either Madison or John Adams, whose ideas concerning those “natural aristocrats” to be elected by the people also bore some resemblance to the argument Sieyès advanced in 1788–89.


64. Sieyès, *What Is the Third Estate?* in *PW*, 157–58. In the notes he prepared for writing the history of French Revolution itself, Alexis de Tocqueville observed that 1788 was a watershed year: “At first people spoke only of working for a better adjustment in the relations between classes; soon they advanced, ran, rushed toward the idea of pure


66. In his singularly influential *Interpreting the French Revolution*, François Furet contended that “there are two ways of totally misunderstanding Robespierre as a historical figure: one is to detest the man, the other is to make too much of him.” Yet both temptations are hard to resist. Even Furet acknowledged that Robespierre “embodied the people for a longer time and with greater conviction than anyone else” and that “he was the mouthpiece” of the Revolution’s “purest and most tragic discourse.” Furet, *Interpreting the French Revolution*, trans. Elborg Forster (Cambridge, 1981), 61, 57. The tendency to revere or revile Robespierre persists. Whereas many of his admirers, from 1789 until today, proclaim the utter sincerity of Robespierre’s commitment to his political ideals, others dismiss him as a charlatan who lacked convictions and responded only to the exigencies of the moment. An essay illustrating the latter view is “Robespierre,” by the distinguished historian Patrice Gueniffey, in Furet and Ozouf, *A Critical Dictionary of the French Revolution*, 298–312.
67. Mirabeau knew the nobility would not bring change on its own. He wrote to Sieyès that the abbé was “called to serve us as a guide in the National Assembly that will fix our destiny.” If reform was to come, it would be led by renegades from the first and second estates. Mirabeau to Sieyès, February 23, 1789, quoted in Sonenscher, *Before the Deluge*, 69. For a deft untangling of the knot of the nobility of the ancien regime, see David D. Bien, “Aristocracy,” in Furet and Ozouf, *A Critical Dictionary of the French Revolution*, 616–28; and, more broadly, Guy Chaussinard-Nogaret, *The French Nobility in the Eighteenth Century: From Feudalism to Enlightenment*, trans. William Doyle (Cambridge, 1985).

68. For a thorough account of the individuals who made up the French National Assembly, see Timothy Tackett, *Becoming a Revolutionary: The Deputies of the French National Assembly and the Emergence of a Revolutionary Culture, 1789–1790* (Princeton, 1996).


73. Sieyès, “Motion sur la constitution des communes en Assemblée des représentants connus et vérifiés de la nation française,” June 15, 1789, in *Orateurs de la Révolution française* 1:1002.


77. Morris embarked on an affair with a French noblewoman, and through her he became acquainted with philosophes such as Condorcet and Buffon, the celebrated Marquis de Lafayette, and various ministers, diplomats, and members of the fashionable salons such as Necker’s daughter Madame de Staël.


83. It is worth noting that no one in England’s North American colonies had enjoyed any of those privileges even before they were formally outlawed in the United States Constitution. Thorough accounts of August 4 include Jean-Pierre Hirsch, *La nuit du 4


85. This early draft of a constitution provided for amendments, a feature notably lacking in all the successive constitutions adopted and discarded in France during these tumultuous years except for the Constitution of 1795, which was superseded in 1799. See articles 336–350 of the 1795 Constitution. Jefferson described his dinner with those debating a new constitution in his Autobiography, *Writings*, 96; see also the account in Ziesche, *Cosmopolitan Patriots*, 30–32.


94. On Sieyès’s attempt to combine the ideas of representation and the general will, see Baker, *Inventing the French Revolution*, 251.

95. Among the problems was a drought that had prevented the water mills from grinding flour; identifying the culprits conspiring against rain would have been challenging.


99. The *Prospectus* for the journal envisioned by the Society of 1789, written by Condorcet, is quoted in Baker, *Condorcet*, 274; see also Baker’s broader discussion of the Society on 269–85.


106. For a persuasive explanation of the reasons why the myth of a great divide between a secular Enlightenment and religious tradition developed in the wake of the French Revolution, and a convincing set of essays demonstrating how deep were the internal divisions among religious groups throughout Europe during the eighteenth century, see the essays in James E. Bradley and Dale Van Kley, eds., *Religion and Politics in Enlightenment Europe* (Notre Dame, 2001). On the reasons why French Catholics in the Yonne supported the revolution, at least until 1797, by invoking the spirit of 1789 in defense of their right to practice their religion, see Suzanne Desan, *Reclaiming the Sacred: Lay Religion and Popular Politics in Revolutionary France* (Ithaca, 1990).


110. Proclamation quoted in Pierre de la Gorce, *Histoire religieuse de la Révolution française*, 5 vols. (Paris, 1902–23), 1:303; trans. in Doyle, *French Revolution*, 144. On the transformative effect of the Civil Constitution of the Clergy, the divergent responses in different regions, and the long-term consequences, see Timothy Tackett, *Religion, Revolution, and Regional Cultures in Eighteenth-Century France: The Ecclesiastical Oath of 1791* (Princeton, 1986). A map showing the extent of emigration from France during the revolution, in Furet and Ozouf, *Critical Dictionary of the French Revolution*, 332, provides a graphic illustration of regional differences that tracks roughly on Tackett’s findings. Opposition to the Civil Constitution of the Clergy was strongest—and emigration highest—in the peripheral regions of the northeast, the Massif Central, and the west; support was strongest in Paris, in the center of France, and in the southeast, the regions where Jansenism exerted the strongest appeal. In rural areas the clergy and the laity tended either to accept or reject the Civil Constitution together. In cities, though, they diverged, except in Paris, where the juring clergy constituted an overwhelming majority. Tackett demonstrates convincingly that these religious divisions followed their own logic and cannot be reduced to socioeconomic or other characteristics. The significance of these divisions persists into the twenty-first century: the regions in which
opposition to the Civil Constitution was most pronounced remain the most staunchly Catholic regions in France.


112. For Robespierre’s speech of June 9, 1790, see Archives parlementaires 16:154–56.

113. For this speech, the first of Robespierre’s speeches to attract widespread attention, see Dumont, Souvenirs sur Mirabeau, 60–61.

Chapter 11


8. “If in the moment of riot and in a drunken delirium from the hot spirit drawn out of the alembic of hell,” the usually sensible people of Britain too were tempted to “uncover [their] nakedness by throwing off that Christian religion” that had warmed, comforted, and civilized them, they would follow France into chaos. Burke, Reflections, 97, 99, 103.

9. All these abominations came to a head for Burke in the revolutionaries’ shameful treatment of the royal family. On the night of October 6, the queen, with the crowd massing just outside her bedchamber, was in such danger that “this persecuted woman had to fly almost naked” from the mob in Versailles. The king was accorded as little respect. Burke, Reflections, 87, 82.


11. With some impatience, Paine explained his procedure: “I have now to follow Mr. Burke through a pathless wilderness of rhapsodies,” a series of fictional chapters “in which he asserts whatever he pleases, on the presumption of its being believed, without offering either evidence or reasons.” In contrast, Paine invoked the authority of an eyewitness whose trustworthiness was beyond reproach, his friend Lafayette. Thomas Paine, The Rights of Man, in Paine, Collected Writings, ed. Eric Foner (New York, 1995) (hereafter CW), 456–62. Recent studies of Paine’s ideas include Foner, Tom Paine and Revolutionary America (New York, 1976); Harvey J. Kaye, Thomas Paine and the


15. Quoted in Patrice Higonnet, Goodness beyond Virtue: Jacobins during the French Revolution (Cambridge, MA, 1998), 31. One of the most troublesome features of the various constitutions written for France throughout this period was the absence of any provision for amendment. As many American commentators pointed, amending the United States Constitution had been essential for its ratification. See for example Joel
Barlow’s 1792 “Letter to the National Convention,” in The Political Writings of Joel Barlow (New York, 1796), 196–98.

16. The exchange appeared first in Paris—Paine’s letter in Le Républicain and Sieyès’s reply in the Moniteur—and then in London, where the European Magazine and London Review published translations of both in August 1791. The English versions are reprinted in Emmanuel Joseph Sieyès, Political Writings, ed. Michael Sonenscher (Indianapolis, 2003), 163–73. For a clear discussion of the context of this exchange, see Sonenscher’s comments on 163–64, and John Keane, Tom Paine: A Political Life (Boston, 1995).

17. Paine, “To the Authors of the Republican,” in CW, 276–379.


21. This point, first made by Jean Jaurès, Histoire socialiste de la Révolution française, ed. Albert Mathiez (Paris, 1922), has been restated by Jean-Daniel Piquet, L’émancipation des noirs dans la Révolution française (Paris, 2002).


26. Dubois, Avengers of the New World. The passages from the Philadelphia General Advertiser, October 11, 1791, and from J. Félix Carteau, Soirées Bermudiennes, ou entretiens sur les événements qui ont opéré la ruine de la partie française de l’île Saint–Domingue (Bordeaux, 1802) are both quoted in Dubois, “An Enslaved Enlightenment,” 9–10.


28. On Brissot’s speech, see Wim Klooster, *Revolutions in the Atlantic World: A Comparative History* (New York, 2009), 96–97. Michael Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston, 1995), 89, contends that “discourse always lagged behind practice” in the Haitian revolution. By contrast, Carolyn Fick, *The Making of Haiti: The Saint-Domingue Revolution from Below* (Knoxville, 1990); and Dubois, “An Enslaved Enlightenment,” 13–14, emphasize the interaction between ideas and active engagement in social and political action. Dubois concludes with this balanced judgment: “the discovery of the Americas generated a space for new ways of thinking about humanity and natural rights, and out of encounters between Native Americans, Africans and Europeans there emerged new ways of thinking about belonging, governance, subject-hood and, eventually, citizenship.” Although educated elites produced the texts expressing these ideas, these new ways of thinking emerged through the debates and the efforts of illiterate as well as literate people on both sides of the Atlantic, and “these debates laid the foundations for the intellectual and political explosion that would take place during the 1790s in the Caribbean” (14).


35. Exceptions include Christine de Pisan; Marie de Jars de Gournay, author of *Egalité des hommes et des femmes* (1622), a woman whom Montaigne described as his “fille d’alliance”; and Mary Astell. Even those who called for women’s education, as Astell did, tended to assume that women should educated for different purposes and different lives, lives as wives and mothers. On this tradition, and the ways in which de Gournay in particular subverted it, see Christine Fauré, “Rights or Virtues: Women and the Republic,” trans. John Fletcher, in *Republicanism: A Shared European Heritage*, ed. Martin van Gelderen and Quentin Skinner, vol. 2: *The Values of Republicanism in Early Modern Europe* (Cambridge, 2002), 125–37.


42. Wollstonecraft, *Vindication of the Rights of Men*, 33.


44. Wollstonecraft elaborated the critique of “elegance” and “dazzle” suggested in her earlier writings. In the refined world of duplicity and deception, women are fit “only for a seraglio.” As merely “insignificant objects of desire,” they must mask their ideas and their feelings and adopt a “sickly delicacy that turns away from simple unadorned truth.” Instead they are forced to drown in “a deluge of false sentiments and overstretched feelings,” thereby “stifling the natural emotions of the heart.” Wollstonecraft, *Vindication of the Rights of Men*, 75, 72, 102, 74.


49. Wollstonecraft, *Vindication of the Rights of Woman*, 221.


157–74, on Wollstonecraft’s idea of authenticity; and cf. Taylor, *Wollstonecraft*, 95–142, on the religious dimension of this idea.


54. As already noted, Franklin and Adams agreed with Jefferson, who had called for “silently lessening the inequality of property” by exempting the poor from taxation and taxing “the higher portions of property in geometrical progression as they rise.” Madison urged “withholding unnecessary opportunity from a few, to increase the inequality of property, by an immoderate, and especially an unmerited, accumulation of riches.” To accomplish that aim Madison too endorsed “the silent operation of laws, which, without violating the rights of property, reduce extreme wealth to a state of mediocrity, and raise extreme indigence toward a state of comfort.” Jefferson, *Papers* 8:681–83; Madison, *The Papers of James Madison*, ed. ed. William T. Hutchinson et al., 17 vols. (Chicago and Charlottesville, 1962–91), 14:197–98.


(New York, 1963); see also Mark Philp, *Paine* (New York, 1989); Foner, *Tom Paine and Revolutionary America*, esp. 212–70; Seth Cotlar, *Tom Paine’s America: The Rise and Fall of Transatlantic Radicalism in the Early Republic* (Charlottesville, 2011); and, on Paine’s wider and long-term significance, *Paine and Jefferson in the Age of Revolutions*, ed. Simon P. Newman and Peter Onuf (Charlottesville, 2013); and Stedman Jones, *An End to Poverty?*.


58. Paine conjured up a striking image: “A nation is not a body, the figure of which is to be represented by the human body,” the image familiar to all readers of Hobbes’s *Leviathan*. The nation is instead “like a body contained within a circle, having a common center, in which every radius meets, and that center is formed by representation.” Unlike monarchy, “a silly, contemptible thing” in which maturity is rare and judgment often impaired, representative democracy “possesses a perpetual stamina, as well of body as of mind, and presents itself on the open theatre of the world in a fair and manly manner.” Whereas monarchies require regencies and ministers to compensate for a monarch’s not uncommon lack of capacity, representative democracy does without the “perpetual court cabal and intrigue, of which Mr. Burke is himself an instance,” and instead elects those who are deemed fit to govern. Those representatives, through their discussions of their constituents’ interests, come to understand—more clearly than would be possible for any single individual—where the different interests intersect, or, to return to Paine’s image, where “every radius meets.” Paine, *Rights of Man*, in *CW*, 564–78. Urbinati, *Representative Government*, 278n29, correctly aligns Paine’s ideas with James Wilson’s but distinguishes both Pennsylvanians from the authors of the *Federalist*, whom she
interprets as aiming to “contain” democracy. For a different reading of Wilson and Madison, see chapters 9 and 10 above. Mark Philp, “Talking about Democracy: Britain in the 1790s,” in Innes and Philp, Re-imagining Democracy in the Age of Revolutions, 101–13, painstakingly charts the progress of the words “democracy” and “democrat” in Britain and points out that they were used as epithets by conservatives before they were adopted by radicals. Whereas Philp emphasizes the difference between “representation” as Paine used it and “democracy” understood as direct government by the people rather than government by officials elected by the people, the passages quoted here show that Paine considered the American system a form of representative democracy. It is odd that so many contemporary champions of the Pennsylvania Constitution of 1776, most of whom celebrate the “democrat” Paine and criticize “elitists” such as Madison and Wilson, neglect Paine’s own discussion of the revision of the 1776 Constitution in Rights of Man and his clearly stated preference for representative over direct democracy.

59. The most detailed study is Michael Sonenscher, Sans-Culottes: An Eighteenth-Century Emblem of the French Revolution (Princeton, 2009), which challenges both the Marxist interpretation of Albert Soboul and the revisionism of François Furet. Sonenscher traces the origins of the Sans-Culottes to ancient cynicism, transmitted to eighteenth-century France via Fénelon and Rousseau, and stresses their commitment to using modern public finance, including nationalizing church property to compensate for the revenue lost because of the Haitian revolution and the aristocrats’ flight, to achieve an egalitarian republic of austere virtue. Called into being by moderate Brissontins, the Sans-Culottes escaped their control and gravitated toward the most radical wing of the revolution.


72. Paine’s speeches against executing the king, January 15, 1793 and January 19, 1793, are in *CW*, 382–91.
73. Perhaps Robespierre was right. To have tried the king and pardoned him would have prevented France from extinguishing the flame of monarchy. Even when rekindled with the Restoration, it never recovered its vibrancy in France as it did thanks to the posthumous sacralization of Charles I in England. Decades of satire, harmless and salacious, had thoroughly desanctified the French monarchy, and the years since 1789, particularly the abortive flight to Varennes, had confirmed the descent of Louis XVI from demi-god to the most ordinary of men. The continued existence of Louis Capet might have provided a focal point for an even more intense counter-revolutionary conspiracy than did arise.


77. Condorcet’s defenders, notably Keith Baker, Emma Rothschild, and Nadia Urbinati, have emphasized his awareness of the tension between his confidence in reason and his desire to enable informed popular choices. Much as I admire their scholarship, and deeply dependent on it as I am in this analysis, there is a difference between Condorcet’s having acknowledged that tension and his having resolved it. Had Condorcet made as persuasive
a case for empowering the people as Baker and Rothschild make on his behalf, and had he clarified the means by which probabilistic reasoning could be made compatible with popular sentiment, his ideas might have been less vulnerable to the criticism that greeted the Girondin constitution, and he might have been less dismissive of the Jacobins’ resistance to his ideas. See Baker, *Condorcet*; Rothschild, *Economic Sentiments*; and Urbinati, *Representative Democracy*, 176–221.


82. Paine to Danton, May 6, 1793, in *CW*, 392–95.


87. This interpretation of Robespierre and those engaged in the Terror, which sees their fatal flaw as their unwillingness to accept the inevitability of disagreement, has become much more widely accepted in recent years. Whereas the Terror was long seen by conservatives as evidence of the Jacobins’ inherent evil or by radicals as evidence of their willingness to do what was necessary to root out the evil of the ancien regime, both of those readings of Robespierre now attract fewer adherents. Illustrations of this convergence include François Furet, “Terror,” in Furet and Ozouf, *Critical Dictionary of the French Revolution*, 137–50; Higonnet, *Goodness Beyond Virtue*, 68–75, 116–43; Livesey,
of the revolution, as did Keith Baker and Patrice Gueniffey, it is now understood to have developed from the combination of circumstances—the genuine pressures from outside and within France—and the revolutionaries’ inability or unwillingness to accept inevitable conflict as the consequence of democracy.


91. David Bell, *The First Total War: Napoleon’s Europe and the birth of warfare as we know it* (New York, 2007).
Chapter 12


10. “Too many Frenchmen, like too many Americans, pant for equality of persons and property. The impracticality of this God Almighty has decreed” by giving men unequal abilities, “and the advocates of liberty who attempt it will surely suffer for it.” Adams believed passionately that all citizens have equal rights and equal obligations, but he distinguished political and legal equality from the economic equality that was attempted through measures like Harrington’s agrarian law. John Adams to Richard Price, April 19, 1790, in *The Works of John Adams*, ed. Charles Francis Adams, 10 vols. (Boston, 1850–56), 9:564.


20. Adams blundered in calling for titles and ribbons, and he did prefer the historically grounded institutions of British government to the various forms the French republic
took, but he never repudiated representative democracy. Looking back later in life, he expressed his judgment that the course of the French Revolution—and particularly the role of the Committee on Public Safety in the Terror—had vindicated his predictions in Davila. He feared that the campaign of Jefferson and Madison to brand him a monarchist, however unfounded it was, had done permanent (and unjustifiable) damage to his reputation as a champion of democracy. The last two hundred years have proven him right. On this point, see John Adams’s marginal notations in his personal copy of the 1790 edition of Discourses of Davila in the collection of the Boston Public Library.

21. Writing to Jefferson in the spring of 1791, Madison sided with his fellow Virginian and expressed his own righteous fury about Adams. He dismissed his “mock defence of the Republican Constitutions of this Country” and claimed that Adams had actually “attacked them with all the force he possessed” both in his Defence and in Davila, which Madison wildly characterized as “antirepublican discourses.” He skewered Burke for defending monarchy not only against the French Revolution but also against the United States, “whose revolution & democratic Government come in for a large share of the scurrility lavished on those of France.” That sentence of Madison’s, like those in Adams’s letters to Jefferson, make clear that both Adams and Madison considered themselves partisans of democracy even though they disagreed passionately about its meaning by the 1790s. Although generations of critics have repeated the complaints of Antifederalists against Madison and those of Jeffersonians (including Madison) against Adams, neither Madison nor Adams wanted to see established in the United States anything other than the representative democracy established in Virginia, Massachusetts, and the Constitution of the United States. Their bitter anger in the 1790s is a sign of the fierce partisanship of that


23. Madison’s essays, which appeared in the *National Gazette* from November 21, 1791, through December 22, 1792, demonstrate how committed Madison remained to a vigorous representative democracy closely connected to a vigilant people, an economic ideal of commercial farmers of middling rank, guarding their independence and thereby advancing the common good, and a spirit of republican civic virtue transcending the narrow perspectives of self-interest in its quest for the common good. See Madison, *Writings*, 490–534.

24. The passages from the *National Gazette*, *Providence Gazette*, and *Newport Mercury* are quoted in Hale, *The French Revolution and the Transformation of American Democracy*.


29. Barlow’s lyrics were printed in the *North-Carolina Gazette*, November 29, 1794. Barlow’s celebrity in France resulted from his “Letter to the National Convention of France on the Defects in the Constitution of 1791,” a straightforward invitation to France to follow the United States and dispense with monarchy, a national church, colonies, slavery, and a restricted electorate and adopt a system of representative democracy. Barlow’s “Letter” is reprinted in *American Writing during the Founding Era, 1760–1805*, vol. 2, ed. Charles S. Hyneman and Donald S. Lutz (Indianapolis, 1983), 812–38.

31. The French word “chute,” which conveys not only fall, downfall, and collapse but also overthrow, seems singularly appropriate for the events of late July. The *chute de Robespierre* is typically designated in studies of the French Revolution as 9 Thermidor, the date according to the revolutionary calendar that was put in place on October 5, 1793 and abandoned on January 1, 1806. Because most non-specialists find confusing the lingering tradition of dating events during that brief period according to the revolutionary calendar, I have chosen not to use the revolutionary calendar at all except for the period following the *chute* of Robespierre, universally (and usefully) designated the Thermidorian reaction.


115–30. For a brief account of the oft-told tale of Paine’s narrow escape from execution, see Harvey Kaye, *Thomas Paine and the Promise of America* (New York, 2005), 84–86.


35. For a clear and concise account of Sieyès’s final scheme, see Sonsenscher’s introduction to Sieyès, *Political Writings*, ed. Michael Sonenscher (Indianapolis, 2003), xxxi–xxxiii.


40. See Mona Ozouf, “Revolutionary Calendar,” in *Critical Dictionary of the French Revolution*, ed. François Furet and Mona Ozouf, trans. Arthur Goldhammer (Cambridge, MA, 1989), 538–59; Livesey, *Making Democracy*, 198–233; Jainchill, “The Constitution of the Year III”; and Lynn Hunt, *Politics, Culture, and Class in the French Revolution* (Berkeley, 1984). One of the tantalizing details of these tumultuous years is the sermon given on Christmas day, 1797, by the Bishop of Imola, who later became Pope Pius VI, in which he minimized the significance of the differences between Christianity and democracy and suggested the possibility that they might be reconciled. See Robert R. Palmer, “Notes on the Use of the Word ‘Democracy,’ 1789–1799,” *Political Science Quarterly* 68, no. 2 (June 1953): 203–26. Palmer noted that the future Pope used the word democracy with a positive valence eleven times within a few hundred words. Palmer concluded, “I know of other two other places, in documents of the period, where the word occurs with equal frequency in a favorable sense: in Robespierre’s address [of February 5, 1794], and in the second part of Paine’s *Rights of Man*.” Most French historians have dismissed the significance of this observation and wave away the future Pope’s words as strategic. See for example Doyle, *The Oxford History of the French Revolution*, 386. Despite the trajectory of the Roman Catholic papacy over the years since 1797, which with only a few exceptions such as Leo XIII and John XXIII has been wary of democracy, I disagree with that judgment. The possibility of rapprochement signaled by the sermon of the future Pope Pius VI indicates how devastating and long lasting was the damage done to democracy in France by the Civil Constitution of the Clergy, the
revolutionary calendar, and similar efforts to eradicate religious belief instead of allowing it to develop alongside democratic government, as it had done for decades in North America. The sharp contrast between the pluralistic religious culture of the United States and the resolutely anti-republican stance of the French Catholic Church, which republicans since 1789 have invoked to justify efforts to uproot religious belief, helps explain the nations’ different political trajectories in eighteenth and nineteenth centuries.


52. Massachusetts *Minerva* quoted in *Gazette of the United States*, July 14, 1798.


55. Since 1793, when France went to war against Britain, France had captured American ships because the British navy had put the French fleet out of commission. The XYZ affair heightened tensions between the United States and France, and the “Quasi-War” consisted of a few naval engagements rather than full-scale hostilities. Republican Francophiles accused the Federalists of capitulating to Britain and needlessly antagonizing France, but Adams peacefully resolved the dispute in the Treaty of Montefontaine. See Alexander DeConde, *The Quasi-War* (New York, 1966).


57. For recent research on the political history of the 1790s, see Andrew W. Robertson, “Afterward: Reconceptualizing Jeffersonian Democracy,” *Journal of the Early Republic* 33 (2013): 317–34; Donald Ratcliffe, “The Right to Vote and the Rise of Democracy,
1787–1828,” *Journal of the Early Republic* 33 (2013): 219–54; Rosemarie Zagarri, “The Family Factor: Congressmen, Turnover, and the Burden of Public Service in the Early American Republic,” *Journal of the Early Republic* 33 (2013): 283–316; the essays in the fine collection *Beyond the Founders: New Approaches to the Political History of the Early American Republic*, ed. Jeffrey L. Pasley, Andrew W. Robertson, and David Waldstreicher (Chapel Hill, 2004); and Jeffrey L. Pasley, *The First Presidential Contest: 1796 and the Founding of American Democracy* (Lawrence, KS, 2013). Cultural histories that locate the new nation in the force fields of Britain include Kariann A. Yokota, *Unbecoming British: How Revolutionary America Became a Postcolonial Nation* (New York, 2011); and Sam W. Haynes, *Unfinished Revolution: The Early American Republic in a British World* (Charlottesville, 2010). Seth Cotlar, “Languages of Democracy in America from the Revolution to the Election of 1800,” in Innes and Philp, *Re-imagining Democracy in the Age of Revolutions*, 13–27, charts the changing uses of the term in the newspapers during the 1790s. Although I disagree with Cotlar’s claim that “democracy” was rarely used in the earlier period, he is surely right that its meanings changed after 1789. He contends that Americans began to consider their own revolution democratic only in the 1790s, as Jeffersonians adopted the term as their own and “succeeded in inventing a genealogy for democracy that stretched back to the Revolutionary era.” Because Cotlar associates “democracy” only with direct popular action, he does not consider the forms of representative democracy adopted by Americans during this period “democratic.” He contends that almost everyone in the United States, including those who elected Jefferson in 1800, was committed to “containing” or rolling back popular government. Jeffersonian Democrats embraced the term, Cotlar argues, in order to


59. Moderate, writing in Centinel of Freedom, September 17, 1799.


63. Noah Webster, The Revolution in France, Considered in Respect to Its Prospects and Effects (New York, 1794), 59–60. For a fine analysis and demonstration of the “powerful exclusionary tendency” that led to the emergence of the paired terms “aristocrat” and

64. Adams, *Discourses on Davila* (Boston, 1805), 74, 83, 92.


71. Murray produced prodigious amounts of mediocre poetry, mostly in rhyming couplets. Although she claimed to share the anxiety of many New Englanders concerning the effect of fiction and drama on public morals, she wrote novellas and plays that were published and performed.

72. Challenging as her circumstances became, Murray evidently stopped writing for another reason as well. The humiliation she endured from critics, and from the mockery of a nephew and a cousin who separately produced cruel parodies of her work, hurt deeply enough that she abandoned her forays into the world of print. After The Gleaner appeared in 1798, and three of her plays were performed to ungenerous reviews, she retreated to the domestic sphere to which most women found themselves consigned after the brief opening provided by the American Revolution. Declining an invitation to write a biography of her nephew Winthrop Sargent, Murray explained that she demurred because of the “repeated mortification, and rebuffs, which I have encountered in my literary career.” A good introduction to Murray is Sheila L. Skemp, Judith Sargent Murray: A Brief Biography with Documents (Boston, 1998). Murray’s letter to her nephew Winthrop Sargent, January 27, 1816, is quoted on 67; the letter to an unidentified recipient, October 6, 1808, is quoted on 106. A fuller portrait is available in Sheila L. Skemp, First Lady of Letters: Judith Sargent Murray and the Struggle for Female Independence (Philadelphia, 2009). See also the introduction by Nina Baym to the modern edition of The Gleaner.
(1798; Schenectady, 1992), originally published by Murray under the pseudonym “Constantia.”


75. For Murray’s letter to Mrs. K——, April 21, 1802, see Skemp, Judith Sargent Murray, 113.


77. Murray, Gleaner 91, ed. Baym, 727–28


81. On Abigail’s admonition to John Adams, see pp. 342–46 above. On female academies, see Kelley, Learning to Stand and Speak; on the long-term effect of Federalist women’s aversion to cruelty and violence, see Cleves, The Reign of Terror in America; and on the brief opening of opportunities for women in the wake of the American Revolution and its decisive closing in the following decades, see Zagarri, Revolutionary Backlash.


86. On this dynamic, see Seth Cotlar, *Tom Paine’s America: The Rise and Fall of Transatlantic Radicalism in the Early Republic* (Charlottesville, 2011), 161–214. Cotlar minimizes the significance of Paine’s *Age of Reason* and the controversy it sparked. He stresses instead what he considers the illegitimacy of representative democracy and the consequences of the Jeffersonians’ and Federalists’ adoption of the term “democratic” for their varieties of what Cotlar considers elitist rule. That development, Cotlar claims, snuffed out the participatory democratic radicalism that he associates with Paine and his followers. Cotlar does not address Paine’s repeated endorsements of representation as one of the principal features of legitimate democratic government.


Chapter 13


6. The fullest account of the disfranchisement of women is Rosemarie Zagarri, *Revolutionary Backlash: Women and Politics in the Early American Republic* (Philadelphia, 2007). On the end of property qualifications for white men, the abolition of slavery, and the disfranchisement of African Americans, see the detailed accounts in Keyssar, *The Right to Vote*, 53–80; and Wilentz, *The Rise of American Democracy*, 181–218. As Keyssar points out, twenty states also instituted prohibitions against voting by “paupers,” usually defined as men dependent on public relief. As Keyssar notes, such laws did not derive from British precedents but reflected new distinctions being drawn between wage earners, now deemed worthy of the franchise, and those whose poverty, in the words of Josiah Quincy of Massachusetts, was “inconsistent with independence.” Although changes in the nature of work altered requirements of property ownership, earlier fears about the unreliability of dependent persons persisted for “paupers” as for “vagrants” and those convicted of felonies. See *The Right to Vote*, 61–65.

7. *Washington Globe*, July 26, 1832. Fine recent overviews of these political and cultural battles, which I cannot examine in detail here, include Gordon S. Wood, *Empire of*

8. On democratic discourse and the protean meanings of “the people,” see Daniel T. Rodgers, Contested Truths: Keywords in American Politics since Independence (New York, 1987); Russell L. Hanson, The Democratic Imagination in America: Conversations with Our Past (Princeton, 1985); and Andrew Robertson, The Language of Democracy: Political Rhetoric in the United States and Britain, 1790–1900 (Ithaca, 1995). Robertson argues that the nineteenth century witnessed a new emphasis in electoral politics on the values of private individuals instead of civic virtue.


13. Religious tensions further destabilized society and politics. European champions of postreligious rationality, including the new ruling elites who assumed power after the Napoleonic wars, were quick to declare religion dead. Yet piety made a comeback, often explicitly in opposition to the anti-Catholicism of the most radical French revolutionaries. In France and elsewhere in Catholic Europe, a more militantly anti-democratic and intolerant Catholicism bolstered conservative regimes while simultaneously nurturing new groups, such as Fréderic Ozanam’s Society of St. Vincent de Paul, that tackled problems of poverty and ill health ignored by post-Napoleonic states. On the increasing conservatism of most Catholics and the denunciations of democracy by the Catholic hierarchy, see Margaret Lavinia Anderson, “The Divisions of the Pope: The Catholic Revival and Europe’s Transition to Democracy,” in *The Politics of Religion in an Age of Revival*, ed. Austen Ivereigh (London, 2000), 22–42; Jay P. Corren, *Catholic Intellectuals and the Challenge of Democracy* (Notre Dame, 2002); Ralph Gibson, *A Social History of French Catholicism, 1789–1914* (New York, 1989); and Eileen Groth Lyon, *Politicians in the Pulpit: Christian Radicalism in Britain from the Fall of the Bastille to the Disintegration of Chartism* (Aldershot, 1999).

14. “A Christian,” in the words of Benjamin Rush, “cannot fail of being a republican, for every precept of the Gospel inculcates those degrees of humility, self-denial, and
brotherly kindness, which are directly opposed to the pride of monarchy and the pageantry of the court. A Christian cannot fail of being useful to the republic, for his religion teacheth him, that no man ‘liveth to himself.’ And lastly, a Christian cannot fail of being wholly inoffensive, for his religion teacheth him, in all things to do to others what he would wish, in like circumstances, they should do to him.” Of course, many nineteenth-century conservatives drew precisely the opposite conclusion about the implications of their faith for democracy. Rush, A Plan for the Establishment of Public Schools and the Diffusion of Knowledge in Pennsylvania: To Which Are Added Thoughts upon the Mode of Education Proper in a Republic. Addressed to the Legislature and Citizens of the State (Philadelphia, 1786), 16. Overviews of antebellum religion include Nathan A. Hatch, The Democratization of American Christianity (New Haven, 1991); Jon Butler, Awash in a Sea of Faith: Christianizing the American People (Cambridge, 1992); and Mark A. Noll, America’s God: From Jonathan Edwards to Abraham Lincoln (New York, 2005).

16. Despite Hervé’s gruesome and grueling experience during his months in prison, the family remained resilient. After 1815 Hervé served as mayor of the town of Verneuil and as prefect in multiple postings from Metz to Versailles, exhibiting a relatively progressive public spiritedness rare among Restoration ministers. He might also have served as a confidant of the Comte d’Artois, the brother of Louis XVI, during the years he spent in exile before his return to France and his reign as Charles X. Eventually Hervé’s loyalty was rewarded. He regained titles to chateaux in Normandy and Brittany, and in the French House of Peers he aligned with the few moderates until the revolution of 1830 ended his political career. Hervé spent his lengthy retirement writing a fairly conventional history of the ancien regime, focused on the aristocracy and the royal court, but lacking the bile that marked his wife’s embittered, ultra-royalist sensibility. On the Tocqueville family history, see Jardin, *Tocqueville*, 3–55.


18. Constant’s early writings contrasted the *hauteur* of Bourbon rule with Britain’s milder monarchy. There “the calm security” of the rule of law meant that “all the rights of the citizens are safe from attack,” and “popular elections keep the political body alive.” To
the chaos of the French revolution he counterposed the relative tranquility of modern oligarchic republics such as Switzerland, with its “private happiness and public loyalty,” and Holland, with its “good sense, fidelity and scrupulous honesty, even amidst civil dissent.” Benjamin Constant, *The Spirit of Conquest and Usurpation and Their Relation to European Civilization* (1814), in Constant, *Political Writings*, ed. Biancamaria Fontana (Cambridge, 1988), 86–87.


22. “The citizens possess individual rights independently of all social and political authority, and any authority which violates these rights becomes illegitimate.” Constant listed the rights he considered elemental: “individual freedom, religious freedom, freedom of opinion, which includes the freedom to express oneself openly, the enjoyment of property,” and “a guarantee against all arbitrary power.” Constant, *Principles of Politics Applicable to all Representative Government* (1815), in *Political Writings*, 175–289; the quoted passage appears on 180.


25. “The citizens possess individual rights independently of all social and political authority, and any authority which violates these rights becomes illegitimate.” Constant listed the rights he considered elemental: “individual freedom, religious freedom, freedom of opinion, which includes the freedom to express oneself openly, the enjoyment of property,” and “a guarantee against all arbitrary power.” François Guizot, “Elections,” *Encyclopédie progressive* (1821), in *Discours académiques, suivis des discours prononcés pour la distribution des prix au concours général de l’Université et devant diverses sociétés religieuses et de trois essais de philosophie littéraire et politique* (Paris, 1861), 395.

26. If the capacity to make political judgments depends on the capacity to discern justice and the truth, then only those so equipped should participate actively in politics. All societies contain “natural, legitimate electors,” and the earlier French distinction between passive and active citizens was the best way to “discover” their judgment. The purpose of elections is to “collect and concentrate all the reason that exists scattered in the society” in order to discern truth and justice. Guizot, “Elections,” 406. It is instructive to compare
this phrase to the phrase in Madison’s essay “Vices of the Political System in the United States,” in which Madison writes, “An auxiliary desideratum for the melioration of the Republican form is such a process of elections as will most certainly extract from the mass of the Society the purest and noblest characters which it contains; such as will at once feel most strongly the proper motives to pursue the end of their appointment, and the most capable to devise the proper means of attaining it.” See Madison, *Writings*, ed. Jack Rakove (New York, 1999), 79–80. Despite this apparent similarity, I have discovered no evidence that Guizot was aware of Madison’s ideas.


28. Guizot was among many French liberals who adopted a version of Constant’s distinction between the liberty of the ancients and that of the moderns. Charles Théremin had earlier extended Sièyes’s notion of a specialized division of labor to politics, reasoning that only specially trained experts should participate actively in public life. Whereas the few citizens of Athens and Rome were equipped to engage in politics, that option was foreclosed because the “idleness” enjoyed by citizens in the ancient world no longer existed. Now that all citizens must work, they prefer to savor the joys of private life and leave the demands of the public sphere to others. The Terror had shown the perils of the alternative. See the discussion of Charles Théremin in Rosanvallon, *Le sacre du citoyen*, 247.

29. See Guizot, “Discours du 18 août, 1842,” in *Histoire parlementaire de France* 3:685. Guizot contributed to the common misapprehension of Rousseau that has persisted into the present. He argued that Rousseau had located sovereignty in the will of every individual, a fatal error that authorized the excesses of the Revolution. Instead, Guizot
insisted, reason, not will, should be sovereign. Because no will is infallible, no individual should pretend that his own judgment trumps the judgment “extracted” by the process of elections by a select few voters. Although the undeniable passivity of the French people during the early years of the Restoration, when those few voters made the decisions as everyone else looked on, seemed to confirm that judgment, the moment of calm did not last long. For Guizot’s critique of Rousseau, see François Guizot, *The History of the Origins of Representative Government in Europe*, trans. Andrew R. Schauble, ed. Aurelian Craiutu (Indianapolis, 2002), 286–97. For another reading of Rousseau, which emphasizes the importance for Rousseau of individuals learning to align their own wills with the general will—as Emile does thanks to the tutor’s instruction—see chapter 5 above.

30. In the history of democratic thought, Guizot’s contributions were crucial for three reasons. First, his historical scholarship established the existence of earlier experiments with representative government and challenged the absolutist claims of royalists and Bonapartists alike. Second, his conception of the “sovereignty of reason” legitimated excluding most citizens from active participation in politics and pointed France toward government by educated elites insulated from popular pressure. Finally, his emphasis on public debate inadvertently helped erode the public’s trust in those experts. Eventually, if hardly immediately, increasing numbers of French citizens educated in the public schools that Guizot helped reform came to consider themselves capable of participating in the political debates from which he was content to see them excluded.

31. Pierre Rosanvallon has probed the shortcomings of French liberals’ solutions to the problems of post-revolutionary France in many incisive studies since *Le moment Guizot*


33. Louis-Philippe, Tocqueville wrote, “was an unbeliever in religion like the eighteenth century, and skeptical in politics like the nineteenth; having no belief in himself, he had none in the belief of others.” Tocqueville resolved to reconcile himself to the new day that was dawning. Having achieved nothing of note in his three years in Versailles, and uneasy in the unfamiliar new circumstances in which most members of his and his friends’ families were deemed suspect, he was ready for a change. The new king, he wrote later, “was a born friend of the law, an enemy of all excesses” and “extremely polite,” but he lacked “discrimination or greatness.” Tocqueville, *Recollections*, trans. George Lawrence, ed. J. P. Mayer and A. P. Kerr (Garden City, NY, 1970), 6–7.

34. Tocqueville’s 1835 letter to an unnamed correspondent, probably either Eugene Stoffels or Louis de Kergolay, is in *Oeuvres complètes* 1:373–75.
35. Sailing across the Atlantic in 1831, Beaumont outlined to his father their “ambitious plans.” He and Tocqueville would study America’s “inhabitants, its cities, its institutions, its mores. We will learn how the republican government works.” It would be valuable for all Europeans to have a reliable book about the people of America, one “that paints a broad portrait of their history, boldly outlines their character, analyzes their social state, and corrects the many mistaken opinions” about the United States. Gustave de Beaumont, *Lettres d’Amérique, 1831–1832*, ed. André Jardin and George W. Pierson (Paris, 1973), 28.


39. This complex tale has now been told several times, but the clearest, most detailed, and most recent account is Robert T. Gannett, Jr., “Bowling Ninepins in Tocqueville’s Township,” *The American Political Science Review* 97, no. 1 (February 2003): 1–16, a brilliant article that traces the story from François Furet’s early sleuthing to more recent investigations into Tocqueville’s notes, drafts, and manuscripts that have demonstrated the somewhat exaggerated nature of Furet’s initial and influential claims about the importance of Guizot’s lectures for Tocqueville. A fuller version of Gannett’s argument is available in the first part of Robert T. Gannett Jr., *Tocqueville Unveiled: The Historian and His Sources for “The Old Regime and the Revolution”* (Chicago, 2003). My quotations from Tocqueville’s notes, in the Tocqueville archives at the Chateau de Tocqueville in Normandy, are taken from Gannett’s article. Readers interested in following this story from its origin should begin with Furet, “The Conceptual System of *Democracy in America*,” in *In the Workshop of History*, trans. Jonathan Mandelbaum

40. Distinct from Guizot, but equally convinced that centralization breeds atomistic individualism, were early nineteenth-century legitimists such as Joseph Fiévée, Joseph de Villèle, Ferdinand Béchard, and the writers clustering around Tocqueville’s friend Louis de Kergolay’s La Revue provinciale and the Catholic journal L’Avenir. Although such writers helped focus attention on the advantages of decentralization, their legitimism distinguished their perspectives from Tocqueville’s as well as Constant’s and Guizot’s. On these legitimists, see Annelien de Dijn, “Aristocratic Liberalism in Post-revolutionary France,” Historical Journal 48 (2005): 661–81; and Annelien de Dijn, “The Intellectual Origins of Tocqueville’s L’Ancien Régime et la Révolution,” Modern Intellectual History 5 (2008): 1–25.


44. Jefferson to Samuel Kercheval, July 12, 1816, in Writings, 1399.


51. Cf. Andrew W. Robertson, *The Language of Democracy*; and Robertson, “‘Look on this Picture…And on This!’ Nationalism, Localism, and Partisan Images of Otherness in the United States, 1787–1820,” *American Historical Review* 106, no. 4 (October 2001): 1263–80; Glenn Altschuler and Stuart Blumin, *Rude Republic: Americans and Their Politics in the Nineteenth Century* (Princeton, 2000); John L. Brooke, “Consent, Civil Society, and the Public Sphere in the Age of Revolution and the Early American Republic,” in *Beyond the Founders: New Approaches to the Political History of the Early American Republic*, ed. Jeffrey Pasley, Andrew Robertson, and David Waldstreicher (Chapel Hill, 2003), 207–50; Mark E. Neely, Jr., *The Boundaries of American Political Culture in the Civil War Era* (Chapel Hill, 2005); Wilentz, *The Rise of American Democracy*, 181–217; and Zagarri, *Revolutionary Backlash*. All these historians have emphasized that the expansion of voting by white males was accompanied by the shrinkage of voting rights for free blacks and the closing off of avenues for civic participation by women. Popular insurgency in antebellum America took many forms, some partisan and many outside the sphere of partisan politics. Identifying either the Jacksonians or the Whigs as the party of “democracy” seems to me no longer tenable. Two detailed accounts, which trace the making and unmaking of community and show how difficult it is to generalize about parties because of the intensely local, episodic, and contingent quality of so much partisan political organizing in antebellum America, are John L. Brooke, *The Heart of the Commonwealth: Society and Political Culture in Worcester County, Massachusetts, 1713–1861* (Cambridge, 1989); and Mary Babson Fuhrer, *A Crisis in Community: The Trials and Transformation of a New England Town, 1815–1848* (Chapel Hill, 2014).


54. These passages from Calvin Colton, *A Voice from America to England* (London, 1839) were quoted in the book more responsible than any other for identifying the Whigs with elitism and the Jacksonians with democracy in America, Arthur M. Schlesinger Jr., *The Age of Jackson*, 279–82.


Virginia, might not be getting better after all, but actually going backward. The people were not becoming more refined, more polite, and more sociable; if anything, they were more barbaric and more factional than they had been. Jefferson was frightened by the divisions in the country and by the popularity of Andrew Jackson, regarding him as [a] man of violent passions and unfit for the presidency. He felt overwhelmed by the new paper-money business culture that was sweeping through the country and never appreciated how much his democratic and egalitarian principles had contributed to its rise” (414).


60. Members of one of those cultures would have been charmed by Jefferson’s discussing with John Quincy Adams, in a quiet corner of Madison’s inaugural party in 1809, the merits of Homer, Virgil, and the “minor poets” of the ancient world; the other would have recoiled from such unmanly snobbery. John Quincy Adams to Louisa Catherine Adams, March 5, 1809, in *The Writings of John Quincy Adams*, ed. Worthington Chauncy Ford, 7 vols. (New York, 1913–17), 3:288–90. Adams remained an avid reader of the Greek and Roman classics throughout his life, also translating the Greek Bible and reading French (Pascal and Montaigne rivaled Rousseau for his affections) and German to keep up his facility with those languages. His studies intensified while spending summers at Harvard as the Boylston Professor of Oratory, lecturing primarily on the salutary and deleterious effects of oratory and its significance for politics in a democracy. See Kaplan, *John Quincy Adams*, 218–25. On the effect of ethnocultural and religious divisions on antebellum American politics, see Robert Swierenga, “Ethnoreligious Political Behavior in the Mid-Nineteenth Century,” in *Religion and American Politics*, ed. Mark A. Noll (New York, 1990), 146–71, and the sources cited in note 6 above.

61. Because the Jacksonians had few quibbles with the program on which John Quincy Adams was elected to the presidency in 1824, their antagonism to him initially was almost exclusively personal. As the Jackson Party took shape between 1824 and 1828, Adams and his supporters deliberately tried to place themselves and their program “above party.” His supporters, notably Daniel Webster, repeatedly denounced party spirit as
inimical to “the public good.” On these issues the most detailed account is Thomas Coens, “The Formation of the Jackson Party, 1822–1825” (unpub. Ph.D. diss., Harvard University, 2004).

62. The most thorough recent account of Jackson’s rise and his significance is Wilentz, *The Rise of American Democracy*. As Wilentz notes on 327, Jackson’s Indian policy “reinforced those elements within the Jackson Democracy that presumed the supremacy of whites over nonwhites, and interpreted any challenge to that supremacy as pretended philanthropy disguising a partisan agenda.” In the aftermath of the 1830s, “this turn of mind would complicate and compromise the Jacksonian variant of political democracy, by rendering all kinds of benevolent reform as crypto-aristocratic efforts to elevate blacks and Indians at the expense of ordinary white men.” See also 370–74 on the “muddled reasoning” and “illogical” argument in Jackson’s bank veto message, which according to Wilentz “combined Jackson’s constitutional views with his larger democratic vision,” and on the strength of which he won reelection and “personal vindication.” Marvin Meyers, *The Jacksonian Persuasion: Politics and Belief* (Stanford, 1970), remains a fascinating meditation on the blend of forward-looking ambition and nostalgic closed-mindedness in Jackson’s appeal to his contemporaries.


64. Tocqueville, *Democracy in America*, 46–47.

66. Tocqueville, *Democracy in America*, 344, and more generally, 316-95.


69. Adam I. P. Smith, “The ‘Fortunate Banner’: Languages of Democracy in the United States, c. 1848,” in Innes and Philp, *Re-imagining Democracy in the Age of Revolutions*, 29n4, reports that “the Library of Congress online directory of newspapers lists 1,465 weekly, semi-weekly, or daily publications with the word ‘Democrat’ or ‘Democratic’ in the title published between 1830 and 1860. The second most popular title-word was ‘Republican’ with 1,039 titles in this period. In contrast, in the period between 1790 and 1820 there were 342 newspapers with ‘Republican’ in the title and only twenty-nine that contained ‘Democrat’—and at least eight of these were compounds like ‘Democratic Republican.’”

70. On Franklin’s civic activities and his conviction that the associations he founded might contribute to fostering benevolence and preventing factionalism, see pp. 255–59 above. On the rich literature surrounding Tocqueville’s analysis of civil society, including both his contemporaries in the United States and his fellow French visitor to the United States Michel Chevalier, see Gustafson, *Imagining Deliberative Democracy*, 25–29, 227–28; and Kloppenberg, “The Canvas and the Color.”


73. Tocqueville, *Democracy in America*, 94, and more generally 190–95.

74. Tocqueville’s unpublished letter to his father, dated May 7, 1835, is in the Tocqueville archives; see Jardin, *Tocqueville*, 235.


91. On Mill’s falling-out with Roebuck, precipitated by their formal debate concerning the relative merits of Wordsworth, whom Mill preferred, and Byron, see Mill, Autobiography, 102–10.


93. In a letter to Mill, the only reviewer whom Tocqueville credited with seeing his aim in both volumes, he admitted that volume two lost “the ordinary reader” by trying to “depict the general features of democratic societies” rather than adding new details to his earlier portrait of American democracy. Volume two moved from concrete particularities to the abstract and conceptual: only fifteen names of individuals appear, and not one is an American. As he wrote to Mill, volume two pleased only readers “very accustomed to looking for general and speculative truths.” In his review of the second volume, Mill had acknowledged precisely that feature of the book. Tocqueville’s letter to Mill, December

94. The perennial appeal of *Democracy in America* in the United States stems partly from the lack of congruence between Tocqueville’s ideas and those prevailing in American politics at any time, which makes possible his adoption by disparate guardians eager to embrace or excoriate him for their own purposes. By his own admission he was neither simply a democrat nor simply an aristocrat. He fits only awkwardly into standard American categories such as Federalist or Jeffersonian, Whig or Jacksonian, Republican or Democrat, conservative or liberal. It makes more sense to characterize him as a “venturous conservative” or an “aristocratic liberal.” For a spirited critique of one of the most acerbic analyses of Tocqueville as a backward-looking aristocrat, Sheldon Wolin’s *Tocqueville Between Two Worlds: The Making of a Political and Theoretical Life* (Princeton, 2001), see Melvin Richter, “The Deposition of Alexis de Tocqueville,” *The Tocqueville Review/La Revue Tocqueville* 23 (2002): 173–98. See also Marvin Meyers, *The Jacksonian Persuasion*, 33–56; Roger Boesche, *The Strange Liberalism of Alexis de Tocqueville* (Ithaca, 1988); and Kahan, *Aristocratic Liberalism*.


100. Tocqueville, *Democracy in America*, 515. The lessons Tocqueville drew from Madison were quite different from the lessons drawn by post–World War II American political scientists, who saw in Madison’s *Federalist* 10 nothing more than an account of how to manage unruly interest groups jockeying for position; see chapter 9 above. Tocqueville was clearly aware of the productive value of conflict as well as reconciliation, as was Madison, which is why I am unpersuaded that Tocqueville was guilty of excessive emphasis on conciliation alone. For a different reading, see Jason Frank, *Constituent Moments: Enacting the People in Postrevolutionary America* (Durham, 2010), a provocative book that runs parallel to my own on some important issues. An essay that captures some of my own misgivings, as well as acknowledging the value of Frank’s concept of “constitutive surplus,” is Johann N. Neem, “Who are ‘the People’? Locating Popular Authority in Postrevolutionary America,” *Reviews in American History* 39 (2011): 267–73.


104. Tocqueville, Democracy in America, 289, 294, 445.


106. Mill, who had little interest in or patience with religious faith, mentioned religion in his review of Tocqueville only in connection with the danger of mob violence that democracy also brings: he cited examples of religious or racial intolerance such as the burning of an Ursuline convent in Boston and the sacking of abolitionists’ houses in New York and Philadelphia. See Mill’s review of Tocqueville, Collected Works 18:176–78.

107. Tocqueville, Democracy in America, 689.

108. Among the numerous studies of Tocqueville’s French predecessors and their influence on his thought, I am particularly indebted to the brilliant article by Robert Gannett, Jr., “Bowling Ninepins in Tocqueville’s Township,” which both demonstrates the centrality of political associations in Tocqueville’s analysis of democracy and makes clear the significance of the recent scholarly discovery of Guizot’s 1829–30 lectures at the Sorbonne. By discussing the presence of more or less self-governing towns in medieval Europe, towns whose independence vanished before the absolutist monarchies of the sixteenth and seventeenth centuries, Guizot appears (however inadvertently) to have readied Tocqueville to accept the judgment of New Englanders concerning the importance of town government.
109. In the city of Worcester, an hour west of Boston, stands a nineteenth-century neo-classical courthouse with the following words carved in stone: “Obedience to law is liberty.” It would be hard to find a clearer statement of the sensibility of the proto-Whigs who served as some of the most influential of Tocqueville’s informants. On the idea of self-discipline that was closely related to “ordered liberty” in American history, see Daniel Walker Howe, *Making the American Self: Jonathan Edwards to Abraham Lincoln* (Cambridge, MA, 1997); Howe, *The Political Culture of the American Whigs* (Chicago, 1979); and Howe, *What Hath God Wrought*. See also the discussion of these themes in David Hackett Fischer, *Albion’s Seed: Four British Folkways in America* (New York, 1979).

110. Many historians, beginning with Charles Andrews and Herbert Baxter Adams in the closing years of the nineteenth century, have worked to contextualize Sparks’s own views on the New England town, but they have bequeathed a distorted understanding of his meaning. When Tocqueville visited, New England’s former Federalists and proto-Whigs were engaged in a political project of their own. Concerned that they had been tainted by the Hartford Convention and were now being marginalized by the rise of Andrew Jackson and the growing strength of his party, particularly in the South, they wanted to affirm their loyalty to the United States and contrast it to the threats of disunion beginning to rumble from the southern states. In light of those sectional tensions, historians have stressed Sparks’s ulterior motives and tried to explain why he wanted to make New England the repository of American democratic principles and practice. The position Sparks took, however, was inconsistent with the values of hierarchy, authority, and order, and with a nationalism grounded on such principles, that historians have
attributed to the New England elite. Sparks located the legitimate source of authority at the local level, beneath the state sovereignty being claimed by southerners anxious about northern criticism of slavery. Thus the portrait Sparks painted for Tocqueville actually ran counter to the positions most of his peers were taking in their critiques of their southern rivals for national political prominence. See Herbert Baxter Adams, “Jared Sparks and Alexis de Tocqueville,” *Johns Hopkins Studies in Historical and Political Science* 16 (1898): 7–49.

111. A recent compilation of these documents, drawn from every English colony and showing a wide variety of ideas and the distinctiveness of the New England compacts and covenants, is Donald Lutz, ed., *Colonial Origins of the American Constitution: A Documentary History* (Indianapolis, 1998).

112. Holly Brewer has pointed out that a generation of historians, misled by conclusions derived from an unpublished 1926 University of Chicago doctoral dissertation by C. Ray Keim, misinterpreted the significance of the abolition of entail in Virginia. She shows that Jefferson was right when he claimed that the abolition of entail was central to the effort to eradicate “every fibre…of ancient and future aristocracy” and to lay “a foundation…for a government truly republican.” Brewer’s research also confirms that Tocqueville too was right about the deliberate and self-conscious challenge to the legal underpinnings of aristocracy in the South. Loathsome and anti-democratic as the institution of slavery was, it now seems clear that the end of entail and primogeniture did transform property holding among whites in the South—even though it did not address the fundamental abomination of slavery—in just the ways that Jefferson and Tocqueville claimed it did. See Holly Brewer, “Entailing Aristocracy in Colonial Virginia: ‘Ancient

113. Tocqueville learned the same lesson from another northerner, Benjamin Richards, who was soon to begin a second term as mayor of Philadelphia when he met with Tocqueville. “Our republic is the triumph and the government of the middle classes,” Richards told Tocqueville. “In the Middle States and those of New England, for example, there exists no true tie between the people and the classes that are altogether superior,” precisely the point John Quincy Adams had made. The upper classes, Richards continued, “betray but little faith in the wisdom of the people, a certain scorn for the passions of the multitude, a certain distaste for its manners; in fact, they isolate themselves.” In return, the people rarely elect the wealthy to office. Instead “they choose candidates ordinarily from the middle classes. It is really they who govern” everywhere except the South and the West, where there was so much mixing and mingling that subtle gradations were impossible. Tocqueville’s own impressions of the South confirmed Richards’ judgment. He found both that the region was very different from the rest of the nation and that divisions between upper- and lower-class whites were less pronounced, paradoxically, than in the North, as a result of slavery. He predicted that the South’s peculiar institution, which he abhorred, might eventually tear the Union apart. Tocqueville’s notes on his conversations with John Quincy Adams and Benjamin Richards are quoted in Pierson, *Tocqueville in America*, 419, 483.

115. The five central themes of Mill’s reviews of Tocqueville echo almost perfectly the central themes of Sparks’ outline of American democracy: 1) the crucial role of citizens’ participation in the original New England towns, a practice derived from Puritan congregationalism and extended to political decision making; 2) the indispensable political and moral education each citizen gains from participating in civic life; 3) the unlikelihood that anything other than the common good will emerge from decisions made by majority vote after the deliberation of well educated and independent-minded citizens; 4) the distinction between the narrow focus of individuals on their own self-interest in the economic sphere and the broadening of their sensibilities as a result of political engagement; and 5) the tight connection between the rough economic equality of citizens of moderate means and their willingness to engage each other in democratic debate and sometimes even to change their minds as a result of that experience. Mill’s reviews of Tocqueville’s *Democracy in America* appeared in the *London Review* in 1835 and in the *Edinburgh Review* in 1840; they are reprinted in Mill, *Dissertations and Discussions: Political, Philosophical, Historical* (London, 1859); and in Mill, *Collected Works* 18:47–90, 153–204.

116. In his review of volume 2 of *Democracy in America*, Mill highlighted the importance of “public spirit” and the danger to liberty deriving from the conformity that would result if citizens abandoned civic engagement to concentrate on material gain. He fretted—as Tocqueville did after his return from industrializing England—that such an outcome was becoming increasingly likely, due less to “democracy” than to the growing power of a “commercial class” as dominant in “aristocratic England” as in democratic America. Mill’s review is in *Collected Works* 18:153–204. Mill’s aversion to all forms of organized
religion manifested itself in his refusal even to acknowledge, in either of his reviews of Tocqueville, the importance attributed to Christianity in *Democracy in America*.


120. Lincoln’s 1844 lines of poetry, from a letter to Andrew Johnston dated April 18, 1846, are in Lincoln, *Speeches and Writings, 1832–1858*, 138–39. On Lincoln and romanticism,


122. *National Intelligencer* (Washington), April 29, 1834. For a vivid account of the Whigs’ innovative Log Cabin and Hard Cider campaign strategy in 1840, see Wilentz, *The Rise of American Democracy*, 493–507. Historians agree that both the Whigs and the Jacksonians perpetuated divisions inherited from the early nineteenth century. The Whigs included not only champions of internal improvements and education such as John Quincy Adams, they also attracted conservatives clinging to the remnants of Federalist ideology and hard-driving entrepreneurs who saw economic opportunity in the Whigs’ commitments to facilitating commerce and transportation. The Democrats attracted both “city” and “country” radicals, to use Wilentz’s terminology in *The Rise of American Democracy*, and also rather less progressive elements descended from Old Republicans such as Virginia’s John Randolph, who were committed above all to preserving and expanding slavery against all challenges, and others, such as Van Buren, who created the first political machine in U.S. history. See Howe, *What Hath God Wrought*, 237–41, on the Albany Regency, and for judicious accounts of the Jacksonians, 328–445, and the Whigs, 570–612.

123. Although John Quincy Adams knew precisely how pivotal his father’s contributions were, with uncharacteristic modesty he did not emphasize his role as intermediary when tracing the ideas of popular government from their earlier sources through the writing of


129. The founders had deliberately differentiated eruptions of momentary enthusiasm from the careful articulation of reasoned judgments. “The American genius is republican as opposed to monarchical, but it is not democratic,” Brownson wrote, at least not in the spirit in which Jacksonians used the word. The Constitution was designed to make use of “popular reason separated from popular passion,” thereby “enabling that which is not
corrupt in the people to govern without subjection to that which is corrupt.” Orestes Brownson, *Works* 16:88–90.


134. See Jefferson’s chilling letter to Jared Sparks, February 4, 1824, in which he explained his rationale for favoring the compulsory relocation of all black children to Saint-Domingue. Jefferson conceded that his plan “involves some constitutional scruples” and that “the separation of infants from their mothers, too, would produce some scruples of humanity.” Jefferson, Writings, 1484–87. It must be noted, however, that some African Americans likewise favored colonization—although not through the forced separation of infants from their families—because they doubted that white Americans’ racism would ever permit them to enjoy equality in the United States. The vast majority of blacks, however, opposed the idea of colonization. On Adams, who opposed slavery, opposed colonization, and also opposed intermarriage, see Kaplan, John Quincy Adams, 480–82.

135. William Lloyd Garrison to the Patriot (London), August 6, 1833; Garrison, “To the Public,” the lead editorial in the first issue of the Liberator, January 1, 1831. A fine study that locates Garrison within the transatlantic community of antislavery discourse is Caleb


137. Wendell Phillips, “Public Opinion,” “Women’s Rights,” and “Sims Anniversary,” in *Speeches, Lectures, and Letters*; the quotations are on 45, 18, and 82.


139. According to John L. O’Sullivan, the Democratic Party journalist who coined the term “manifest destiny,” it was God’s will that the United States spread across the continent. Without the war, England, Spain, or France might obstruct the nation’s divinely ordained expansion. See Frederick Merk, *Manifest Destiny and Mission in American History: A Reinterpretation* (New York, 1963); on the expansionist Democrats of New York City, see Edward L. Widmer, *Young America: the Flowering of Democracy in New York City* (New York, 1998); and more generally Yonatan Eyal, *The Young America Movement and the Transformation of the Democratic Party, 1828–1861* (Cambridge, 2007).

140. Perhaps as much as from the multiple fault lines dividing American workers and the rhetorical strategies of politicians, the comparatively moderate tone of class relations in the United States stemmed from the American ideology of endless expansion and universal prosperity for all native-born whites, the despair of later Marxists and the source of so much unwarranted American smugness. A searching critique of this


142. Guizot’s speech, in the *Moniteur Universel*, March 26, 1847.


147. Tocqueville, *Recollections*, 136–54. Tocqueville’s detailed account of his encounters during the June days with his doorkeeper, who threatened to kill him but left him unharmed, and his manservant, who fought alongside the insurgents during the day and returned home to tend to Tocqueville in the evening, provide a rare glimpse into the double-sided world all of them inhabited, a world in which the privileges flowing from Tocqueville’s wealth and title persisted even as a revolution was unfolding.


150. Tocqueville’s *Souvenirs*, first made available to the public in a truncated form by his grandnephew in 1893, was published in its entirety in the *Oeuvres complètes* in 1964. The quotations come from Tocqueville, *Recollections*, 14, 191–92, 177.


Chapter 14


2. On democratic reformers’ challenges to laissez-faire liberalism and revolutionary socialism on both sides of the Atlantic after the 1870s, see James T. Kloppenberg, *Uncertain Victory: Social Democracy and Progressivism in European and American Thought, 1870–1920* (New York, 1986).


9. On Lincoln’s voracious reading in philosophy and political theory, see Ronald C. White Jr., A. Lincoln: A Biography (New York, 2009). For an unmatched analysis of the Peoria Address, see John Burt, Lincoln’s Tragic Pragmatism: Lincoln, Douglas, and Moral Conflict (Cambridge, MA, 2013), 27–93. In Burt’s words, “the promise of equality has a power that many other kinds of moral claim do not have, because the reciprocity it demands is at the heart of democratic political ideals, and democracy cannot be maintained without it” (70).

10. Lincoln, Speeches and Writings, 1832–1858, 334.

11. Lincoln, Speeches and Writings, 1832–1858, 316; see also 329.


17. Lincoln’s fragment on slavery is in *Speeches and Writings, 1832–1858*, 303.


19. Chief Justice Roger Taney held that the Constitution should not be interpreted as applying to blacks, whether slave or free. Because slaves were not citizens, Dred Scott lacked the standing necessary to file suit as a citizen in a federal court. Taney also ruled that the laws of slave states governed the slaves wherever they were and that, as property, their status was not protected by the Fifth Amendment. *Dred Scott* seemed to many Northerners to authorize the importation of slaves anywhere in the nation, and to forbid Congress or state legislatures from intervening to prevent it. See Don E. Fehrenbacher, *The Dred Scott Case: Its Significance in American Law and Politics* (New York, 1978); Paul Finkelman, *Dred Scott v. Sandford: A Brief History with Documents* (Boston, 1997); and the recent overview of the significance of the case in Wilentz, *The Rise of American Democracy*, 707–44.


27. On Lincoln’s reverence for Clay, its role in shaping his own political career, and the reasons why he invoked this phrase, see Richard Carwardine, *Lincoln* (London, 2003), 11–28; William E. Gienapp, *Abraham Lincoln and Civil War America* (New York, 2002), 40–45; and Burt, *Lincoln’s Tragic Pragmatism*, 356–59, 596–97. On the central issue separating Lincoln from Douglas and its persistent significance in our own day, Burt writes, “The world Lincoln feared in the ‘House Divided’ speech is a world that has become familiar to us. It is a world in which the human being is the plaything of natural forces, a bundle of instincts and desires, a higher primate who makes many noises that sound like moral arguments but are really only the reflection into an interior space of the urges such primates feel in external nature or external culture. It is a world in which the ideology of autonomous agency and free labor is replaced by the ideology of impersonal economic or biologic law. It is a world in which actual people have merely formal equality, but the state is foreclosed, in the name of an imprisoning ideology of property, from rendering that equality meaningful” (177).


30. See Edouard Laboulaye, *Le parti libéral, son programme et son avenir*, 3rd ed. (Paris, 1863), 149–50. For his analysis and defense of representative democracy in the United States as a guide for the study of comparative law, see Edouard Laboulaye, *De la constitution américaine et de l’utilité de son étude, discours prononcé le 4 décembre 1849 à l’ouverture du cours de législation comparée* (Paris, 1849); and on the history of


33. Arnold, “Democracy,” in “*Culture and Anarchy*” and Other Writings, ed. Stefan Collini (Cambridge, 1993), 5–13. Arnold’s judgment has struck most twentieth-century commentators as an illustration of his blindness and elitism, but when British history is compared with the histories of other European nations, his characterizations seem less implausible. As even Marx conceded, the British Conservative Party did make overtures that attracted more widespread support than did conservative parties elsewhere. See Daniel Ziblatt, *Conservative Political Parties and the Birth of Modern Democracy in Europe, 1848–1950* (Cambridge, 2012).


36. For a representative statement of the logic of this position, see Hannah Mather Crocker, *Observations on the Real Rights of Women, with Their Appropriate Duties, Agreeable to Scripture, Reason, and Common Sense*, ed. Constance J. Post (1818; Lincoln, NE, 2011).

37. For decades, historians have dismissed Tocqueville’s sentimental observations concerning the “genius” of American women as stereotypes revealing his blindness to the unequal status of women in American democracy. Our understandable emphasis on the costs of inequality, however, and our awareness of the burdens imposed on women (and African-Americans) by white men and justified by the ideology of female self-sacrifice, have obscured Tocqueville’s point. Tocqueville, *Democracy in America*, ed. Olivier Zunz, trans. Arthur Goldhammer (New York, 2004), 695–97.


Harmony Gazette, Wright envisioned Nashoba in its second iteration as a place where the twin ideals of liberty and equality might be not only declared but lived “without regard to sex or condition, class, race, nation or color.” Because she considered the “aristocracy of color” the “particular vice” of the United States, Wright was said to have racial equality as her particular goal, but liberating women from existing marriage laws was to be equally important. No woman would “forfeit her individual rights or independent existence” in Nashoba, and no man could “assert over her any rights or power whatsoever, beyond what he may exercise over her free and voluntary affections.” Nashoba never approached Wright’s lofty goals. Like many visionaries, she thought she knew what was best for members of her community. Despite her exuberant praise of the United States in Views, democratic governance had no place in Nashoba. The article from New Harmony Gazette, January and February, 1828, is reprinted in Public Women, Public Words: A Documentary History of American Feminism, ed. Dawn Keetley and John Pettigrew, 3 vols. (Madison, 1997), 1:124–27. On the distance between Wright’s reputation and her life, see Gail Bederman, “Revisiting Nashoba: Slavery, Utopia, and Frances Wright in America, 1818–1826,” American Literary History 17 (2005): 438–59; and Celia Morris, Fanny Wright, Rebel in America (Urbana, 1984).

41. Margaret Fuller, *Woman in the Nineteenth Century* (New York, 1845), 154, 158, 161.


43. “When in the course of Human Events,” the Litchfield Declaration began, “it becomes necessary for the Ladies to dissolve those bonds by which they have been subjected to others, and to assume among the self styled Lords of Creation that separate and equal station to which the laws of nature and their own talents entitle them,” they must explain “the causes which impel them to the separation.” Among the truths held to be self evident, the authors declared, was “That all mankind are created equal” and possess “certain unalienable rights.” Respecting women’s rights required nothing less than the transformation of “social relations.” Beyond their light-hearted rebuke of men for having unjustly “plundered our pantries” and “ravaged our sideboards,” the Litchfield Declaration included a critique of so-called American democracy: men forced women to “relinquish the right of representation in the Legislature” and systematically excluded


45. See Margaret Hope Bacon, *Valiant Friend: The Life of Lucretia Mott* (New York, 1980), 125; and on the relation between the 1848 revolutions and Seneca Falls, see Anderson, *Joyous Greetings*, 164–78.

46. Stanton’s speech, delivered often in the 1840s, is in *The Selected Papers of Elizabeth Cady Stanton and Susan B. Anthony*, ed. Ann D. Gordon (New Brunswick, 1997), 94–123.


50. The reviewer noted that the most notable progress along the path toward equality had been made with the end of slavery and the ratification of the Fourteenth and Fifteenth Amendments to the United States Constitution. Now it was women’s turn. *North American Review* 109, no. 225 (October 1869): 565.


53. See Bonnie S. Anderson, *Joyous Greetings: The First International Women’s Movement, 1830–1860* (New York, 2000), for the struggles between women’s rights groups and the broader reform movements of which they were a part.

14:49. See the illuminating discussion of the connections between Mill, Taylor Mill, and American, French, and German women’s rights activists in Anderson, *Joyous Greetings*.


63. “We are entering into an order of things in which justice will again be the primary virtue; grounded as before on equal, but now also on sympathetic association; having its root no longer in the instinct of equals for self-protection, but in a cultivated sympathy between them; and no one being now left out, but an equal measure being extended to all.” “The true virtue of human beings,” they wrote, again begging the question of how such foundational claims could be established on the basis of experience, “is fitness to live together as equals.” Such individuals will claim “nothing for themselves but what they as freely concede to every one else.” Mill, *On the Subjection of Women*, 159–60; and Mill, *Collected Works* 21:294. Here Taylor and Mill’s analysis echoed the discussion of Christianity in Tocqueville’s *Democracy in America*; cf. Tocqueville’s discussion of this issue in chapter 13 above.

64. “The moral regeneration of mankind” could only begin, they concluded, when marriage “is placed under the rule of equal justice, and when human beings learn to cultivate their strongest sympathy with an equal in rights and in cultivation.” Mill, *Subjection of Women*, 195, 207–8, 211; and Mill, *Collected Works* 21:323, 336.

65. Mill, *Subjection of Women*, 213; and Mill, *Collected Works* 21:337. For a corrective to the simplified and misleading understanding of Mill as a champion of individual freedom, particularly the “negative liberty” of Isaiah Berlin, see Bernard Semmel, *John Stuart Mill and the Pursuit of Virtue* (New Haven, 1984); and the discussions of Mill in Duncan Kelly, *The Propriety of Liberty: Persons, Passions and Judgment in Modern*


67. Mill, Considerations on Representative Government (1861), in Mill, Collected Works 19:380–94. The fullest and best-balanced analyses of Mill’s ideas about democracy are Dennis F. Thompson, John Stuart Mill and Representative Government (Princeton, 1976); and Nadia Urbinati, Mill on Democracy: From the Athenian Polis to Representative Government (Chicago, 2002). Thompson makes clear that Mill wrestled with the relation between cultivation and participation and viewed both within the framework of his ideals of what constitutes a fully realized life. Urbinati, who stresses Mill’s careful study of George Grote’s History of Greece, seems to me to overstate the significance of Athens and underplay the importance of more proximate sources, especially Tocqueville, in shaping Mill’s thought. Cf. Robson, The Improvement of Mankind, 105–14, on Tocqueville’s significance for Mill. Overall, however, Urbinati’s account of the value both of participation and of the productive value of disagreement for Mill respond convincingly to critiques of Mill’s “elitism” and demonstrate why Mill valued representative democracy as a cultural project. For a parallel account of the concepts of individuality and freedom that Mill prized and the relation between those values and Mill’s assessment of the potential of representative democracy, see Kelly, The Propriety of Liberty, 173–222.


72. Having condemned slavery in *Democracy in America*, Tocqueville joined the French Society for the Abolition of Slavery as early at 1835. The report of the committee charged by the Chamber of Deputies to study the issue, which Tocqueville himself filed, defies easy summary. On the one hand, the committee did call for fixing a date to end slavery in all French colonies, after which it urged the government to commit itself to the education of former slaves. On the other hand, slave owners were to be indemnified and that cost paid by a tax on former slaves’ labor. Perhaps because of lingering support for slavery, or perhaps because of the Society’s proposal was incoherent, the Chamber of Deputies never acted on it. Tocqueville’s 1843 report “The Emancipation of Slaves” is in Tocqueville, *Writings on Empire and Slavery*, ed. Jennifer Pitts (Baltimore, 2001), 199–226; see Pitts’s discussion of these issues in her introduction, xxix–xxxv.

73. On Tocqueville’s historical sensibility, see James T. Kloppenberg, “The Canvas and the Color: Tocqueville’s ‘Philosophical History’ and Why It Matters Now,” *Modern

74. Mill, Autobiography, 187–90; and “The Contest in America,” in Collected Works 21:136–41. “The South are in rebellion,” Mill wrote, “not for simple slavery; they are in rebellion for the right of burning human creatures alive.” On Phillips’s admiration for Mill, see McDaniel, The Problem of Democracy, 238–41. Mill was much more ambivalent about the British role in India than he was about the need to abolish slavery in the United States.


76. Even Emerson, who resisted the abolitionists’ entreaties for so long, ended up admiring Brown as “an idealist” who came to think “he existed to put them all into action; he said ‘he did not believe in moral suasion, he believed in putting the thing through.’” A splendid compilation of speeches on writings on John Brown is The Tribunal: Responses to John Brown and the Harper’s Ferry Raid, ed. John Stauffer and Zoe Trodd (Cambridge, MA, 2012). For the passage from Mill’s Autobiography, see 415–16; John Andrew, 126–27; Frederick Douglass, 492–99; Wendell Phillips’s eulogy, 174–77; and Ralph Waldo Emerson, 113–16. The quotation from Phillips’s essay “Harper’s Ferry,” in Wendell Phillips, Speeches, Lectures, and Letters (Ann Arbor, 2005), 272–82, is quoted in McDaniel, The Problem of Slavery in the Age of Democracy, 226.

77. For Lincoln’s defense of free labor and his ideal of America as a land of independent yeomen, see his address to the Wisconsin State Agricultural Society, September 30, 1859, in Lincoln, Speeches and Writings, 1859–1865, 90–101.

79. Lincoln’s Speech on Discoveries and Inventions, Jacksonville, Illinois, February 11, 1859, in *Speeches and Writings, 1859–1865*, 3–12; the quoted passages are on 6.

80. Two decades earlier Lincoln had addressed the Washington Temperance Society of Springfield, Illinois. Because he did not drink alcohol himself, the group’s efforts would not affect him, but he commended their efforts as the opposite of “impolitic and unjust.” Rather than antagonizing those they hoped to reform, they spoke to them and about them with charity. They relied on persuasion, which is essential when both appetite and interest are involved, as in the case of alcohol. Lincoln pointed out that progressive change usually comes, as it did with the American Revolution, through a painful and sometimes unavoidably violent process. The Washington Temperance Society, however, wanted to effect change without inflicting pain or causing destruction. When Lincoln turned his attention to slavery, that method remained his model. Democracy requires citizens to deploy their capacity for persuasive communication rather than resorting to force. Lincoln, “Address to The Washington Temperance Society of Springfield, Illinois,” February 22, 1842, in Lincoln, *Speeches and Writings, 1859–1865*, 81–90.

81. On Lincoln’s gradual development from skepticism to the embrace of religious faith in the last decade of his life, see Michael Burkhimer, *Lincoln’s Christianity* (Yardley, 2007). Although Lincoln himself disliked evangelicals’ fervor, their increasingly enthusiastic support of his presidency ended up sustaining him into his second term. On his uneasiness with the evangelical Christians who projected onto him their own ideas about America’s sacred mission, see Carwadine, *Lincoln*. Mark A. Noll, *America’s God:

82. Lincoln, First Inaugural Address.


84. Lincoln, Message to Congress, July 4, 1861, in *Speeches and Writings, 1859–1865*, 246–61. Lincoln’s proposals ended up generating little opposition. The departure of southern
Democrats and the death of Stephen A. Douglas meant there was no one left to organize opposition at this early stage of Lincoln’s presidency. See Donald, *Lincoln*, 304–5.

85. Lincoln later conceded to Congress, when presenting elaborate calculations purporting to show how much whites would benefit from the departure of former slaves, that very few African Americans seemed interested in taking him up on the offer. See Lincoln’s Address on Colonization to a Committee of Colored Men, Washington, DC, August 14, 1862, in *Speeches and Writings, 1859–1865*, 353–57; and Annual Message to Congress, December 1, 1862, in *Speeches and Writings, 1859–1865*, 493–15.

86. Lincoln to Horace Greeley, August 22, 1862, in *Speeches and Writings, 1859–1865*, 357–58.

87. See Carwadine, *Lincoln*, on the paradoxical consequences of the Emancipation Proclamation, which rallied to the Union cause—and bolstered Lincoln’s own standing among—those radicals whose fervor he had distrusted and whose strategies he had rejected.

88. Paradoxically, as James M. McPherson argued in *Battle Cry of Freedom: The Civil War Era* (Oxford, 1988), had the Union succeeded in suppressing the Confederate rebellion in 1861 or 1862, it is unlikely that slavery would have ended in the 1860s.

89. Garry Wills, *Lincoln at Gettysburg: The Words That Remade America* (New York, 1992), is a beautifully crafted and immensely valuable study of this pivotal speech. In light of the emphasis I have placed on equality in American history from the seventeenth–century origins of New England, however, readers will not be surprised that I consider Wills’s claim concerning Lincoln’s discovery of equality and its “remaking” of America overstated. Lincoln borrowed his formulation of democracy as government of,

90. Lincoln, Address at the Sanitary Fair in Baltimore, Maryland, April 18, 1864, in *Speeches and Writings, 1859–1865*, 585–86.

91. See, for example, Lincoln’s letter to Albert G. Hodges, April 4, 1864, in *Speeches and Writings, 1859–1865*, 585–86.

92. Today that percentage would total nearly six million persons. Although twenty-first-century Americans lament the casualties from the wars and disasters of our own day, and although the scale of the slaughter was similar for mid-twentieth-century Europeans, most Americans find it hard even to imagine carnage on the scale of the United States Civil War.


99. On Tocqueville and Mill, see the splendid introduction by Françoise Mélonio and François Furet to their edition of Alexis de Tocqueville, *The Old Regime and the French*
Revolution, trans. Alan S. Kahan, 2 vols. (Chicago, 1998), 1:1–73, esp. 3–4; and James T. Kloppenberg, “The Canvas and the Color.” Sheldon Wolin notes in Tocqueville Between Two Worlds: The Making of a Political and Theoretical Life (Princeton, 2001), 571, that “postmodern despotism consists of the collapse of politics into economics” and the transmutation of power into solicitude, “popular sovereignty into consumerism, mutuality into mutual funds, and the democracy of citizens into shareholder democracy.” Although Wolin levels that critique at Tocqueville, the preface to The Old Regime shows how close it is to Tocqueville’s own viewpoint.

100. Tocqueville, The Old Regime 1:87.

101. On the Manifeste des soixante, see Pierre Rosanvallon, La question syndicale (Paris, 1988), 204, who considers it among the most important documents of nineteenth-century French politics.


103. Francis Lieber, On Civil Liberty and Self-Government, 3rd ed. (1853; Philadelphia, 1888), 159–70, explains why representative government should not be considered second best, compared with the direct democracies of Greece and Rome, but as the ideal form of democratic government. On Lieber, see Duncan Kelly, “Cosmopolitanism and the Nation State: Reasons of State and the Birth of American Political Science,” in The Worlds of


107. Mill to Norton, November 24, 1865, Norton Papers, Houghton Library, Harvard University. Daniel Farbman is writing a dissertation at Harvard on radical Republicans’ attempt to reorganize southern counties into townships, not only in order to provide the institutions, but also to inculcate the participatory sensibility of Tocqueville’s New England town. Like the Port Royal experiment, another radical attempt to plant democracy in the former Confederacy, the effort failed, but the attempt itself shows the persistence of the understanding of democracy that Tocqueville took from Jared Sparks and John Quincy Adams.


109. On the relation between Mill and Tocqueville and Kant’s ideas of reason and right, see Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger with the assistance of Frederick Lawrence (1962; Cambridge, MA, 1989), 89–140, which also reflects the debts Habermas owes to John Dewey.

110. See Foner, *Reconstruction*, 604, 610, for persuasive formulations of this argument.
111. “He said to him, ‘You shall love the Lord your God with all your heart, and with all your soul, and with all your mind.’ This is the greatest and first commandment. And a second is like it: ‘You shall love your neighbour as yourself.’ On these two commandments hang all the law and the prophets.” Matthew 22: 37–40.

112. “Be of the same mind, having the same love, being in full accord and of one mind. Do nothing from selfish ambition or conceit, but in humility regard others as better than yourselves. Let each of you look not to your own interests, but to the interests of others.” St. Paul to the Philippians 2:2–4.

113. Tocqueville, Democracy in America, 689. More recently that relation has been reversed, with the result that the equality Tocqueville thought triumphant is in danger of vanishing from the democratic political imagination. Tocqueville’s insight concerning the ironies of freedom and democracy was hardly unique. Toward the end of Democracy in America (526), he attributed to Montaigne a clear understanding of the ironies of self-interest properly understood as it operates in conditions in which individuals can exercise independent judgment. Similar insights had also been expressed, in different keys, by thinkers as different as Condorcet, Hume, Adam Smith, and Napoleon. See the concluding pages of Emma Rothschild, Economic Sentiments: Adam Smith, Condorcet, and the Enlightenment (Cambridge, MA, 2001), 236–52.