

BOOK NOTE

THE RELEVANCE AND IRRELEVANCE OF THE FOUNDERS

REVOLUTIONARY CHARACTERS: WHAT MADE THE FOUNDERS DIFFERENT. By Gordon S. Wood.¹ New York: Penguin Press. 2006. Pp. x, 321. \$25.95.

The Founders are divine. There is no shortage of heroic biographies recounting their triumphs, no absence of encomiums praising their valor, no want of meditations seeking to understand their complexities. Perhaps because today's political environment is so divisive or because today's political leadership is so impoverished when compared to that generation of philosopher-statesmen, Americans often find themselves asking: what would the Founders do?²

Into this culture of historical fixation once again comes Professor Gordon Wood, dean of intellectual historians of the Founding. In his landmark work, *The Creation of the American Republic, 1776–1787*, Professor Wood situates the ideology of the Founders in the civic republican tradition,³ and in *The Radicalism of the American Revolution*, he describes how the unleashing of democratic forces during the Revolution shaped the egalitarian ethos of the new republic.⁴ In his new book, *Revolutionary Characters: What Made the Founders Different*, Professor Wood synthesizes the two themes of these seminal works, virtuous republicanism and democracy; strips away myths created by earlier historians; and recaptures the essence of the Founders' milieu. *Revolutionary Characters* is a collection of essays — some written for magazines and reviews, others for academic audiences — each focused in some way on the qualities of eighteenth-century enlightened gentlemen. Through profiles of eight Founders, Professor Wood captures the characteristics that made the Founders different from ordinary men and how those characteristics influenced the political system they hoped to create. The result may dismay those who look to the Founders for the answers to today's challenges, for Professor Wood shows not only that the Founders' world is distant from today's, but also that at the very moment of the Founding, the Founders' values were rapidly fading from the American scene. Only a few years into the new republic, some Founders lamented the rise of de-

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² See, e.g., RICHARD BROOKHISER, WHAT WOULD THE FOUNDERS DO? (2006).

³ See GORDON S. WOOD, THE CREATION OF THE AMERICAN REPUBLIC, 1776–1787 (1969).

⁴ See GORDON S. WOOD, THE RADICALISM OF THE AMERICAN REVOLUTION (1993).

mocracy, well aware that it would bring with it an end to their world of virtuous politics.

Professor Wood commences his study of the uniqueness of politics at the Founding by tracing its origin to the Enlightenment. Enlightenment thinkers believed “civilization was something that could be achieved, [so] everything was enlisted in order to push back barbarism and ignorance and spread civility and refinement” (p. 13). Enlightened civility required education and merit, not simply high social or economic status (pp. 20–22). Indeed, as Thomas Jefferson once noted, the “aristocracy of wealth” needed to be overthrown to make room for an “aristocracy of virtue and talent” (p. 102).⁵

This merit-based approach to civilizing societies required exemplary leaders. It required enlightened gentlemen (pp. 13–16). The qualities of the eighteenth-century gentleman appear superhuman today, and it is perhaps for this reason that the Founders are so celebrated:

[To be a gentleman] meant being reasonable, tolerant, honest, virtuous, and “candid” Being a gentleman was the prerequisite to becoming a political leader. It signified being cosmopolitan, standing on elevated ground in order to have a large view of human affairs, and being free of the prejudices, parochialism, and religious enthusiasm of the vulgar and barbaric. (p. 15)

Such concepts seem distant from the realities of modern political and personal experience, but at the time, these characteristics not only typified the dominant culture within high society, but also were practically required for entry (pp. 214–15). The ideal of unbiased action, perhaps the most important of the enlightened virtues, was captured in the word “disinterested,” which “conveyed the threats from interests that virtue seemed increasingly to face in the rapidly commercializing eighteenth century” and meant being “free of interested ties and paid by no masters” (p. 16). Only disinterested individuals could promote the public good (p. 16). As Noah Webster once noted, being a gentleman “disqualifie[d] a man for business” (p. 15).⁶

These ideals were best exemplified in the characters of George Washington and Benjamin Franklin. In the winter of 1784–1785, Professor Wood recounts, the Virginia Assembly offered Washington 150 shares in two canal companies in appreciation for his devotion to Vir-

⁵ The author quotes THOMAS JEFFERSON, *AUTOBIOGRAPHY* (1821), *reprinted in THOMAS JEFFERSON: WRITINGS* 3, 32 (Merrill D. Peterson ed., 1984). Internal quotation marks have been omitted.

⁶ The author quotes NOAH WEBSTER, *On the Education of Youth in America*, in *A COLLECTION OF ESSAYS AND FUGITIV WRITINGS ON MORAL, HISTORICAL, POLITICAL AND LITERARY SUBJECTS* 1, 14 (Boston, I. Thomas & E.T. Andrews 1790), *reprinted in ESSAYS ON EDUCATION IN THE EARLY REPUBLIC* 43, 56 (Frederick Rudolph ed., 1965). Internal quotation marks have been omitted.

ginia. Washington was worried that acceptance might be interpreted as receiving compensation, but he “believed passionately in what the canal companies were doing,” had “long dreamed of making a fortune from such canals,” and did not want to disrespect the Assembly by refusing the offer (p. 44). In the end, he accepted the shares, immediately donating them to a nearby college. Notably, Washington was not even holding public office at the time (pp. 44–45). Similarly, Professor Wood argues that Franklin lived the public life of a gentleman (pp. 76–77). Professor Wood reveals that the image of Franklin as a self-made man who achieved great success while retaining his homegrown values was “a product of early-nineteenth-century developments” (p. 90). The real Franklin was a gentleman who enjoyed “shap[ing] events on a world stage” (p. 88) and who had considerable time to “write and engage in ‘Philosophical Studies and Amusements’” (p. 77).⁷

Thomas Jefferson and Alexander Hamilton are well known as partisans, but they too fit the mold of the philosopher-statesman. Jefferson, the populist and democrat, was at “the head of the American Enlightenment”: “He was very well read . . . and eager to discover just what was the best, most politically correct, and most enlightened” (p. 101). Hamilton, meanwhile, rejected Jefferson’s vision of a democratic society of agrarian farmers. He believed self-interest motivated men’s actions, and he strived to create a “‘fiscal-military’ state” that would promote commerce and establish America on the same footing as the great European powers (p. 132).⁸ Nonetheless, “he himself always remained extraordinarily scrupulous in maintaining his personal disinterestedness and freedom from corruption” (p. 130).

To clarify the concept of the enlightened gentleman, Professor Wood contrasts it with the characters of Thomas Paine and Aaron Burr. Paine was perhaps the only truly disinterested “citizen of the world” in his era: he was tied to no person or country (p. 216).⁹ But Paine was different from the other Founders. He was “exclusively a writer,” not a political leader, and he was thus unfit for the culture of gentlemen (pp. 218–19). The rogue Aaron Burr also differed from the rest of the Founders in that he had “little in the way of political principles or a public vision” (p. 231). Professor Wood concludes that Burr’s few remaining papers depict a “self-assured aristocrat using his

⁷ The author quotes BENJAMIN FRANKLIN, *THE AUTOBIOGRAPHY OF BENJAMIN FRANKLIN* 196 (Leonard Labaree et al. eds., Yale Univ. Press 1964), and omits a footnote.

⁸ The author borrows the concept of the “fiscal-military” state from JOHN BREWER, *THE SINEWS OF POWER: WAR, MONEY AND THE ENGLISH STATE, 1688–1783*, at 135 (1989).

⁹ Internal quotation marks have been omitted. Paine is often described as a “citizen of the world.” See, e.g., *CITIZEN OF THE WORLD: ESSAYS ON THOMAS PAINE* (Ian Dyck ed., 1987); see also THOMAS PAINE, *RIGHTS OF MAN*, pt. 2 (1792), reprinted in 1 *THE COMPLETE WRITINGS OF THOMAS PAINE* 345, 414 (Philip S. Foner ed., 1969) (“[M]y country is the world, and my religion is to do good.”).

public office in every way he could to make money” (p. 236). Burr’s selfishness was precisely the opposite of the Founders’ principle of disinterestedness. And his dangerous opportunism even prompted the rivals Hamilton and Jefferson to work together to stop him from becoming President in 1800 (pp. 240–41). Burr, Professor Wood concludes, “threatened nothing less than the great revolutionary hope, indeed, the entire republican experiment, that some sort of disinterested politics, if only among the elite, could prevail in America” (p. 242).

Professor Wood also considers the mechanics of the republican experiment through the political philosophies of James Madison and John Adams. Madison wanted government to be a “disinterested judge, a dispassionate umpire, adjudicating among the various interests in the society” (p. 163). It was perhaps for this reason that his Virginia Plan gave Congress the power to veto all state laws repugnant to the Federal Constitution, and that he advocated for a council of revision in which the executive and the judicial branches oversaw the legislative process (pp. 157–58).¹⁰ Adams approached the republican experiment differently. Recognizing that America would be as susceptible to greed and interests as any other society in history (pp. 180–81), Adams came to two realizations: first, “[g]overnment bore an intimate relation to society, and unless the two were reconciled, no state could long remain secure,” and second, “no society . . . could ever be truly egalitarian” (p. 179). His solution was to institutionalize social classes into the two houses of the legislature, with the President to keep “social forces in equilibrium” (p. 188). Both Madison and Adams accomplished extraordinary innovations in political thought — Adams in writing the influential Massachusetts constitution¹¹ and Madison in developing the theory of the large republic.¹² This theorizing was not unique to these men: innovation and boldness characterized the discussions of the Constitutional Convention in 1787 (pp. 254–55).

The tragedy of *Revolutionary Characters* is its intimation that such bold thinking, driven as it was by the ideals of the Enlightenment, may no longer be possible. Madison may have praised the “glory of the people of America,” who did not “suffer[] a blind veneration for antiquity, for custom, or for names, to overrule the suggestions of their own good sense, the knowledge of their own situation, and the lessons of their own experience.”¹³ But Professor Wood’s account concludes that the world of philosopher-statesmen was fading even by 1787: “Politics no longer seemed an exclusively gentlemanly business, and consequently gentlemen in public discussions increasingly found them-

¹⁰ Ultimately, both of Madison’s plans were defeated (pp. 160–61).

¹¹ WOOD, *supra* note 3, at 568.

¹² See THE FEDERALIST NO. 10 (James Madison).

¹³ THE FEDERALIST NO. 14, at 99 (James Madison) (Clinton Rossiter ed., 1961).

selves forced to concede to the popular and egalitarian ideology of the Revolution, for any hint of aristocracy was now pounced upon by emerging popular spokesmen eager to discredit the established elite leaders" (p. 254). By the late 1790s, a much more democratic politics had emerged, with a flurry of newspapers introducing new voices into public discourse (p. 261). Truth, these democratic forces argued, "was actually the creation of many voices and many minds," not a timeless set of principles that only the enlightened gentlemen could discern (p. 270). In this new age of public opinion, "there could be little place for the kind of extraordinary political and intellectual leadership the revolutionary generation had demonstrated" (p. 273). Ironically, Professor Wood concludes, by unleashing democracy through their new ideas, the Founders "contributed to their own demise" (p. 274).

Professor Wood's profiles are valuable as more than hagiography, for they highlight a central tension in the Founders' project: the Founders recognized that a culture of disinterestedness was impossible to guarantee in perpetuity, and they therefore struggled to devise a political system that would foster virtuous government, but their design ultimately relied on the participation of the very disinterested leaders who they understood would be rare. The Founders concluded that disinterestedness was the best hope for preventing the abuse of power. Madison and Adams, in crafting their political theories, each perceived and sought to counter the dangers of interests, but neither man's institutional design could facilitate honest and disinterested government without leaders who were themselves virtuous. Indeed, Madison concluded that virtue would be necessary in *any* polity. By embracing the qualities that distinguished the Founders, America might begin to recover the lost ideal of disinterestedness and, consequently, the promise of the Founders' dream of virtuous government.

Understanding the Founders' commitments requires understanding their concerns. The Founders' obsession with being disinterested was directly linked to what Henry Adams called the "great object of terror" for the colonists — power.¹⁴ Power "always and everywhere had had a pernicious, corrupting effect upon men."¹⁵ It followed that a person attached to some specific interest would be corrupted and would use power to further that interest, not the public good. However, an enlightened gentleman who embodied disinterestedness would be less susceptible to power. And so the Founders maintained "hope that at least some individuals in the society might be worthy and virtuous enough to transcend their immediate material interests and devote

¹⁴ Henry Adams, *The Session*, 111 N. AM. REV. 29, 30 (1870), reprinted in *THE GREAT SESSION WINTER OF 1860-61 AND OTHER ESSAYS* 191, 193 (George Hochfield ed., 1958).

¹⁵ BERNARD BAILYN, *THE IDEOLOGICAL ORIGINS OF THE AMERICAN REVOLUTION* 60 (1967).

themselves to the public good.”¹⁶ Such individuals, as the eighteenth-century commentator “Cato” wrote, were only a “very small Part of Mankind,”¹⁷ a fact Madison well understood when he noted that “[e]nlightened statesmen will not always be at the helm.”¹⁸

Because guaranteeing enlightened leadership was impossible, the Founders sought to create a virtuous government through the careful design of political institutions, a process that involved bold and innovative thinking. As Professor Bernard Bailyn writes, the Founders “attacked head-on the overrefined, overelaborated, dogmatic metropolitan formulas in political thought, challenging assumptions that only idiots, they were indeed told, would question.”¹⁹ A virtuous government demanded that interests be prevented from controlling public policy. In essence, the founding project sought to prevent the accretion of power that could be used against the public good.

Madison’s attempt to create a virtuous government was most famously presented in *Federalist 10*. There, Madison argued that the “regulation of . . . various and interfering interests forms the principal task of modern legislation.”²⁰ To ensure a virtuous government, he envisioned a large republic — something even the celebrated Montesquieu had rejected²¹ — in which the effects of factions and interests would be minimized: The large geographic size of America meant a multiplicity of factions and interests, none of which could dominate any of the others.²² And the system of representation meant that only citizens who could transcend particular interests would be selected for political leadership.²³ These leaders would constitute a “body of citizens, whose wisdom may best discern the true interest of their country and whose patriotism . . . will be least likely to sacrifice it to temporary or partial considerations.”²⁴ Most striking about Madison’s conception is not what is so often noted by political scientists — its prescient understanding of interest group politics and pluralism²⁵ — but rather its hope that interest groups will neutralize each other, thereby

¹⁶ Gordon S. Wood, *Interests and Disinterestedness in the Making of the Constitution*, in BEYOND CONFEDERATION: ORIGINS OF THE CONSTITUTION AND AMERICAN NATIONAL IDENTITY 69, 83 (Richard Beeman et al. eds., 1987).

¹⁷ *Id.* at 85 (quoting 3 CATO’S LETTERS: OR, ESSAYS ON LIBERTY, CIVIL AND RELIGIOUS, AND OTHER IMPORTANT SUBJECTS 193 (London, 5th ed. 1748)).

¹⁸ THE FEDERALIST NO. 10 (James Madison), *supra* note 13, at 75.

¹⁹ BERNARD BAILYN, TO BEGIN THE WORLD ANEW 32 (2003).

²⁰ THE FEDERALIST NO. 10 (James Madison), *supra* note 13, at 74.

²¹ See JACK N. RAKOVE, ORIGINAL MEANINGS 182 (1996).

²² See THE FEDERALIST NO. 10 (James Madison), *supra* note 13, at 77–78.

²³ See *id.* at 76–77.

²⁴ *Id.* at 76.

²⁵ See, e.g., ROBERT A. DAHL, A PREFACE TO DEMOCRATIC THEORY 15–17 (1956); Alan Gibson, *Impartial Representation and the Extended Republic*, 12 HIST. POL. THOUGHT 263, 265–66 (1991).

creating space for virtuous individuals to rise to positions of leadership. Virtuous leaders were thus central to Madison's plan.

Adams's plan differed, but his approach also rested on virtuous leadership. Adams believed that society would inevitably divide into rich and poor. Notable and illustrious men would inevitably "acquire an influence among the people" and disrupt the workings of the legislature.²⁶ Adams's solution was therefore to institutionalize social classes into the structure of government itself — the rich in an upper house and the commons in a lower house. Each class would counter the other. But on its own, Adams noted, the system would alternate, like a "pendulum," between tyranny and rebellion.²⁷ What was needed was a "balance of three powers"²⁸ through the institutionalization of a leader who could preserve the equilibrium between the two classes. Thus, at the center of his system, Adams placed the key to this balance — the independent Executive, who would have "free and independent exercise of his judgment."²⁹ Adams's theory, like Madison's, required a statesman to transcend interest-based politics.

Both of these attempts to create virtuous government demonstrate that the founding project — the promotion of disinterestedness in policymaking in order to achieve the common good — ultimately relied on enlightened individuals as leaders. Had the Founders crafted a government that succeeded in eradicating interests or otherwise ensuring that government would always be virtuous, enlightened individuals would be unnecessary. But the government they devised fell short of such lofty aspirations.³⁰ Despite representation, checks and balances, separation of powers, and federalism — or any conceivable procedural

²⁶ JOHN ADAMS, A DEFENCE OF THE CONSTITUTIONS OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA, at xxi (Boston, Edmund Freeman 1788), *reprinted in* THE POLITICAL WRITINGS OF JOHN ADAMS 105, 115 (George W. Carey ed., 2000).

²⁷ *Id.* at xv, *reprinted in* THE POLITICAL WRITINGS OF JOHN ADAMS, *supra* note 26, at 110.

²⁸ *Id.* at xvi, *reprinted in* THE POLITICAL WRITINGS OF JOHN ADAMS, *supra* note 26, at 111.

²⁹ JOHN ADAMS, THOUGHTS ON GOVERNMENT 15 (Phila., John Dunlap 1776), *reprinted in* THE SELECTED WRITINGS OF JOHN AND JOHN QUINCY ADAMS 50, 54 (Adrienne Koch & William Peden eds., 1946). For a discussion of Adams's political thought, particularly regarding this balance of three powers, see C. BRADLEY THOMPSON, JOHN ADAMS AND THE SPIRIT OF LIBERTY 220–21 (1998).

³⁰ One need look no further than the congressional scandals of 2005 and 2006: Representative Randy "Duke" Cunningham pled guilty to helping friends and contributors receive military contracts in return for over \$2.4 million. See John M. Broder, *Representative Quits, Pleading Guilty in Graft*, N.Y. TIMES, Nov. 29, 2005, at A1. Representative Bob Ney agreed to plead guilty to federal corruption charges for taking illegal contributions from lobbyists but refused to resign. See Philip Shenon, *Ohio Lawmaker Who Took Illegal Gifts Rebuffs Calls To Resign*, N.Y. TIMES, Sept. 19, 2006, at A18.

safeguards — *individuals* would ultimately use their judgment to craft policy and make decisions.³¹

The idea of checks and balances to prevent tyranny was thus largely a preface to a system that would allow disinterested leaders to transcend petty politics. As Professor Wood notes, Madison had been inspired by the horrors of the Virginia Assembly: “The Virginia legislators seemed parochial, illiberal, small-minded, and most of them seemed to have only ‘a particular interest to serve’” (pp. 147–48).³² Madison wanted government to “transcend parties” and play a “super-political neutral role” (p. 163). Indeed, he eventually embraced the role of the Supreme Court, for it “was the only institution that came close to playing the role that in 1787 he had wanted the federal Congress to play” (pp. 163–64). The great principle of republicanism, Madison once noted, was “that the people will have virtue and intelligence to select men of virtue and wisdom. Is there no virtue among us? — If there be not, we are in a wretched situation. No theoretical checks — no form of Government, can render us secure.”³³ Without virtuous leaders, the republican experiment would be a failure.

To fulfill the Founders’ hope of a virtuous government, Americans must acknowledge the importance of individuals in politics and elect individuals who are worthy of the responsibility of leadership. Americans must therefore embrace the qualities that truly distinguished the Founders. First, the Founders were vigilant in requiring disinterestedness from their leaders. George Washington strove for disinterestedness because he knew that interested men would be rejected for leadership. Second, the Founders were dedicated to creative, bold reforms that furthered the goal of disinterested and virtuous government. The Founders were willing to “struggle[] with logical, ideological, and conceptual problems that seemed to have no solutions”³⁴ because they knew the risks of a system whose success depended on the character of men. To recover these ideals — these lost traditions of disinterestedness and bold innovation — would be to redeem the founding promise of virtuous government. It would inaugurate a new era of enlightened thinking. It would create a new generation of heroic political leaders. And it would make the Founders seem less distant, less divine.

³¹ See ROGER B. PORTER, PRESIDENTIAL DECISION MAKING 214 (1980) (noting that even with a “[m]ultiple advocacy” model that ensures that diverse perspectives are represented, it is impossible to guarantee wise judgments).

³² The author quotes Drew R. McCoy, *The Virginia Port Bill of 1784*, 83 VA. MAG. HIST. & BIOGRAPHY 288, 294 (1975).

³³ BAILYN, *supra* note 19, at 34 (quoting 10 DOCUMENTARY HISTORY OF THE RATIFICATION OF THE CONSTITUTION 1417 (Merrill Jensen ed., 1993)).

³⁴ *Id.* at 5.